

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

BOARD MEETING NOTICE

Meeting No. 271

DATE: Thursday, October 9, 2014

TIME: 6:30 P.M.

PLACE: San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA

PARKING: Available adjacent to and behind building.
Please note the underground parking garage is no longer open.

PUBLIC TRANSIT: SamTrans
Caltrain: San Carlos Station.
Trip Planner: <http://transit.511.org>

1.0 CALL TO ORDER/ ROLL CALL

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
Note: Public comment is limited to two minutes per speaker.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 PG&E Update on Major Projects in San Mateo County to be presented by PG&E Local Government Representatives

5.0 CONSENT AGENDA

Consent Agenda items are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- 5.1 Approval of the minutes of regular business meeting No. 270 dated September 11, 2014. ACTION p. 1
- 5.2 Review and approval of Resolution 14-44 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement with San Mateo County's Division of Environmental Health, extending the contract through June 30, 2015 at a cost not to exceed \$162,020 to continue implementing public education and outreach activities in accordance with the Municipal Regional Permit. ACTION p. 7
- 5.3 SFO Comprehensive Airport Land Use Compatibility Plan (ALUCP) Consistency Review - Town of Hillsborough. Re: General Plan Amendment: Housing Element 2014-2022 Draft Final. ACTION p. 21
- 5.4 SFO Comprehensive Airport Land Use Compatibility Plan (ALUCP) Consistency Review – Daly City. Re: General Plan Amendment: Housing Element 2014-2022 Administrative Draft. ACTION p. 29
- 5.5 Review and approval of Resolution 14-49 authorizing the C/CAG Chair to send a letter requesting C/CAG's designation as a Beacon Award: Local Leadership toward Solving Climate Change, Program Champion from the Institute for Local Government. ACTION p. 41
- 5.6 Receive copy of agreements executed by the C/CAG Chair or Executive Director consistent with C/CAG Procurement Policy.
- 5.6.1 Receive copies of executed MOUs between C/CAG and Strategic Energy Innovations for two ClimateCorps Bay Area fellows: (1) for Eddie Ashley, in an amount not to exceed \$25,000 and (2) for Jacqueline Falconio, in an amount not to exceed \$24,500. INFORMATION p. 47
- 5.6.2 Receive a copy of executed Contract Change Order No. 1 to San Mateo County Energy Watch, Contract Work Authorization between C/CAG and Pacific Gas and Electric Company adding \$55,826 for a total contract amount not to exceed \$895,828. INFORMATION p. 61
- 5.7 Review and approval of the 4th Cycle Lifeline Transportation Program Call for Projects conditioned on the Metropolitan Transportation Commission's adoption of their Program Guidelines. ACTION p. 67
- 5.8 Review and accept the Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects Financial Audit for Project Period Ended June 30, 2013. ACTION p. 89
- 6.0 REGULAR AGENDA
- 6.1 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including legislation not previously identified.) ACTION p. 101
- 6.2 Review and approval of establishing a C/CAG Priority Development Area (PDA) Parking Policy Technical Assistance Program in an amount not to exceed \$342,000 for Fiscal Years 2014-15 to 2015-16 as part of the Local PDA Planning Program
- 6.2.1 Review and approval of the guidelines and call for projects for the C/CAG Priority Development Area Parking Policy Technical Assistance Program. ACTION p. 105

- 6.2.2 Review and approval of Resolution 14-46 authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds not to exceed \$40,000 and stating the assurance to complete the project ACTION p. 117
- 6.3 Adoption of the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport and certification of the Initial Study and Negative Declaration.
- 6.3.1 Approval of Resolution 14-47 adopting the Negative Declaration for the Airport Land Use compatibility Plan for the Environs of Half Moon Bay Airport ACTION p. 121
- 6.3.2 Approval of Resolution 14-48 adopting the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport (Special Voting Procedures Apply) ACTION p. 131
- 6.4 Update of the San Mateo County US 101 Ramp Metering Implementation between State Route (SR) 92 and the San Francisco/San Mateo County Line. ACTION p. 157
- 7.0 COMMITTEE REPORTS
- 7.1 Committee Reports (oral reports).
- 7.2 Chairperson's Report
- 7.3 Boardmembers Report
- 8.0 EXECUTIVE DIRECTOR'S REPORT
- 9.0 COMMUNICATIONS - Information Only
- Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 599-1406 or nblair@smcgov.org or download a copy from C/CAG's website – www.ccag.ca.gov.
- 9.1 Letter from Mary Ann Nihart, C/CAG Chair, to Honorable Kevin Mullin, dated 9/30/14. RE: Assembly Bill 2170 – Joint Powers Authorities. p. 159
- 9.2 Letter from Mary Ann Nihart, C/CAG Chair, to Lauri, James & Scott Vreeland, dated 9/25/14. RE: Letter of condolence on the passing of James (Jim) Vreeland. p. 161
- 9.3 Letter, via email, from Wally Abrazaldo, C/CAG Transportation Programs Specialist, to Ms. Marlene Subhashini, Senior Planner, City of Foster City, dated 9/22/14. RE: Notice of Preparation of a Draft Environmental Impact Report for the Lincoln Centre Biomedical Research Project. p. 163
- 9.4 Letter from Mary Ann Nihart, C/CAG Chair, to Mr. Matthew Rodriguez, Secretary, California Environmental Protection Agency, and Ms. Mary Nicols, Chairman, California Air Resources Board, dated 9/12/14. RE: CalEPA Identification of Disadvantaged Communities. p. 165

10.0 ADJOURN

Next scheduled meeting: November 13, 2014.

PUBLIC NOTICING: All notices of C/CAG Board and Committee meetings will be posted at San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the City/ County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making those public records available for inspection. The documents are also available on the C/CAG Internet Website, at the link for agendas for upcoming meetings. The website is located at: <http://www.ccag.ca.gov>.

NOTE: Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Nancy Blair at 650 599-1406, five working days prior to the meeting date.

If you have any questions about the C/CAG Board Agenda, please contact C/CAG Staff:

Executive Director: Sandy Wong 650 599-1409

Administrative Assistant: Nancy Blair 650 599-1406

MEETINGS

Oct. 9, 2014	Legislative Committee - SamTrans 2 nd Floor Auditorium - 5:30 p.m.
Oct. 9, 2014	C/CAG Board - SamTrans 2 nd Floor Auditorium - 6:30 p.m.
Oct. 14, 2012	NPDES Technical Advisory Committee – San Mateo Main Library - 10:00 a.m.
Oct. 15, 2014	Resource Management and Climate Protection Committee (RMCP) - 155 Bovet Rd, Ground Floor - 2 p.m.
Oct. 16, 2014	CMP Technical Advisory Committee - SamTrans, 2 nd Floor Auditorium - 1:15 p.m.
Oct. 16, 2014	Stormwater Committee - SamTrans, 2 nd Floor Auditorium - 2:30 p.m.
Oct. 23, 2014	Airport Land Use Committee (ALUC), City Council Chambers, Burlingame - 4:00 p.m.
Oct. 23, 2014	Bicycle and Pedestrian Advisory Committee (BPAC) - San Mateo City Hall - Conference Room C - 7:00 p.m.
Oct. 27, 2014	Administrators' Advisory Committee - 555 County Center, 5 th Fl, Redwood City - Noon
Oct. 27, 2014	CMEQ Committee - San Mateo City Hall - Conference Room C - 3:00 p.m.

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BOARD MEETING MINUTES

ITEM 5.1

Meeting No. 270
September 11, 2014

1.0 CALL TO ORDER/ROLL CALL

Chair Nihart called the meeting to order at 6:32 p.m. Roll call was taken.

Elizabeth Lewis – Atherton (6:36)
David Braunstein - Belmont
Terry Nagel - Burlingame
Joseph Silva - Colma
David Canepa - Daly City
Laura Martinez - East Palo Alto
Art Kiesel - Foster City
Kirsten Keith - Menlo Park (6:35)
Wayne Lee – Millbrae (7:39)
Mary Ann Nihart - Pacifica
Maryann Moise Derwin - Portola Valley (6:38)
Alicia Aguirre - Redwood City
Jack Matthews - San Mateo
Mark Olbert - San Carlos
Don Horsley - San Mateo County
Karyl Matsumoto - South San Francisco
Deborah Gordon - Woodside

Absent:

Brisbane
Half Moon Bay
Hillsborough
San Bruno

Others:

Sandy Wong, Executive Director C/CAG
Nancy Blair, C/CAG Staff
Nirit Eriksson, C/CAG Legal Counsel
Tom Madalena, C/CAG Staff
John Hoang, C/CAG Staff
Jean Higaki, C/CAG Staff

Matt Fabry, C/CAG Staff
Wally Abrazaldo, C/CAG Staff
Ellen Barton, C/CAG Staff
Bill Chiang, PG&E
Scott Hart, PG&E
Matt Robinson, Shaw/Yoder/Antwih, representing Advocation
Michael Hurley, Bay Area Water Supply & Conservation Agency (BAWSCA)

3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Note: Public comment is limited to two minutes per speaker.

Bill Chiang, PG&E, provided an update on PG&E's activities in the area.

4.0 PRESENTATIONS/ ANNOUNCEMENTS

4.1 Ellen Barton, Countywide Active Transportation Coordinator, made a presentation on Active Transportation and Traffic Congestion Opportunities.

Boardmember Matsumoto stated that we need a debriefing from the Metropolitan Transportation Commission (MTC) on their recent Active Transportation Program (ATP) Grant Process.

5.0 CONSENT AGENDA

Board Member Aguirre MOVED approval of 5.1, 5.2, 5.3, 5.4, 5.4.1, 5.4.2, 5.4.3, 5.4.4, 5.5, 5.6, 5.6.1, 5.7, and 5.8. Board Member Lewis SECONDED. **MOTION CARRIED UNANIMOUSLY 16-0**

5.1 Approval of the minutes of regular business meeting No. 269 dated August 14, 2014.

APPROVED

5.2 Review and approval of the Transportation Development Act (TDA) Article 3 Pedestrian and Bicycle Program Call for Projects process and schedule for the FY 2015/2016 cycle.

APPROVED

5.3 Review and approval of Resolution 14-38 authorizing the C/CAG Chair to execute a funding agreement with the County of San Mateo Department of Public Works to provide C/CAG with funding to assist in the preparation of an update of the Airport Land Use Compatibility Plan (ALUCP) for the environs of San Carlos Airport in an amount not to exceed \$50,000.

APPROVED

5.4 Review and approval of airport/land Use consistency review on-call service contracts.

APPROVED

5.4.1 Review and approval of Resolution 14-39 authorizing the C/CAG Executive Director to issue task orders in full compliance with the terms and conditions of on-call airport/land use consistency review service agreements in the aggregate amount not to exceed \$60,000 for a one-year term among three firms.

APPROVED

- 5.4.2 Review and approval of Resolution 14-40 authorizing the C/CAG Chair to execute an agreement with Ricondo & Associates for airport/land use consistency review services to be shared in the aggregate amount not to exceed \$60,000 for one-year term among three firms.

APPROVED

- 5.4.3 Review and approval of Resolution 14-41 authorizing the C/CAG Chair to execute an agreement with Coffman Associates for airport/land use consistency review services to be shared in the aggregate amount not to exceed \$60,000 for one-year term among three firms.

APPROVED

- 5.4.4 Review and approval of Resolution 14-42 authorizing the C/CAG Chair to execute an agreement with ESA Airports for airport/land use consistency review services to be shared in the aggregate amount not to exceed \$60,000 for one-year term among three firms.

APPROVED

- 5.5 Review and approval of Resolution 14-43 authorizing the C/CAG Chair to execute Amendment No. 1 to the agreement with San Mateo-Foster City School District for construction of a Green Streets and Parking Lot/Safe Routes to School Demonstration project for an additional amount of \$38,000.

APPROVED

- 5.6 Receive copy of agreement executed by the C/CAG Executive Director consistent with C/CAG Procurement Policy.

- 5.6.1 Receive a copy of an executed Amendment No. 1 to the agreement between C/CAG and Iteris Inc. for a five month time only extension for the System Integration Support of the Smart Corridors.

INFORMATION

- 5.7 Review and approve the appointment of Jimmy Tan to represent the City of San Bruno on the Stormwater Committee.

APPROVED

- 5.8 Review and approve the appointment of Jimmy Tan to represent the City of San Bruno to the Congestion Management Program Technical Advisory Committee (CMP TAC).

APPROVED

6.0 REGULAR AGENDA

- 6.1 Review and approval of C/CAG Legislative policies, priorities, positions, and legislative update. (A position may be taken on any legislation, including legislation not previously identified.)

APPROVED

Matt Robinson, Shaw/ Yoder/ Antwih, Inc., provided a summary of legislative issues discussed at the 9/11/14 C/CAG Legislative Committee meeting. Discussions included the status update of AB 418, AB 2170, AB 2403, Express Lanes, and Cap and Trade use of CalEnviroScreen.

The Legislative Committee's recommendation is to send a comment letter to CalEPA and the State Air Resources Board regarding the use of CalEnviroScreen for the Cap and Trade funding criteria. Due to the short comment period, three legislative committee members will review the letter prior to sending.

Board Member Acuirre MOVED approval in accordance with the Legislative Committee's recommendation. Board Member Horsley SECONDED. **MOTION CARRIED UNANIMOUSLY** 16-0

- 6.2 Review and approve Resolution 14-36 authorizing the C/CAG Chair to execute a funding agreement with the Bay Area Water Supply and Conservation Agency in an amount not to exceed \$25,000 for a pilot countywide rain barrel rebate program. APPROVED

The San Mateo Countywide Water Pollution Prevention Program, the Bay Area Water Supply and Conservation Agency (BAWSCA), and participating member agencies will be offering rebates of up to \$100 per rain barrel for the purchase and installation of qualifying rain barrels.

Staff's recommendation is for the Board to approve Resolution 14-36.

Board Member Nagel MOVED in accordance with the staff's recommendation. Board Member Keith SECONDED. **MOTION CARRIED** 16-1. Board Member Matsumoto OPPOSED.

- 6.3 Receive a presentation on C/CAG's FY 2013-14 Highlights. INFORMATION

C/CAG's Executive Director provided a presentation and answered questions from the Board.

The Executive Director will email the power point presentation to the C/CAG Board, and the document will be posted to the C/CAG website.

7.0 COMMITTEE REPORTS

- 7.1 Committee Reports (oral reports).

- 7.2 Chairperson's Report

Preparations will be started for the Executive Director's evaluation. Once the forms have been mailed, it is requested the forms be completed by the Board Member, and returned in a timely manner.

In honor of California Coastal Cleanup Day, scheduled for September 20, Chair Nihart invited the Board to participate in the Pacifica Beach Coalition's Trash Bucket Challenge. The challenge is to pick up a bucket of trash in 24 hours, then donate it to the Pacific Beach Coalition to help its beach cleanup and restoration work.

7.3 Boardmembers Report

The Board requested there be a change to how the C/CAG monthly board packet is labeled. The pages that identify the Item Number will have the label at the top, near the subject line, instead of the usual location at the bottom of the page. Visually, this will provide better clarity when reading the packet on the internet.

On Tuesday, September 16, at 1:00 p.m., Burlingame will have a ground breaking event to highlight the start of the reconstruction of the Broadway Interchange on U.S. Highway 101 in Burlingame.

The 4th Annual Silicon Valley Bike Summit will be held on September 30, 2014 from 10:00 a.m. – 4:30 p.m. Location of the meeting is at the Oshman Center, Palo Alto.

8.0 EXECUTIVE DIRECTOR’S REPORT

The C/CAG website is in the process of being redesigned. The new site should be in operation in approximately two months.

In August, the Executive Director attended a California Transportation Commission (CTC) meeting. The meeting was a joint informational meeting with the Washington State Transportation Commission. The focus of the meeting was on Road User Charge.

Last month, the Legislature approved SB 1077, authored by DeSaulnier. If signed by the Governor, this bill authorizes a pilot program to explore a “road usage charge” in California. The bill is sitting on Governor Brown’s desk.

9.0 COMMUNICATIONS - Information Only

Copies of communications are included for C/CAG Board Members and Alternates only. To request a copy of the communications, contact Nancy Blair at 650 599-1406 or nblair@smcgov.org or download a copy from C/CAG’s website – www.ccag.ca.gov.

- 9.1 Letter, via email, from Wally Abrazaldo, C/CAG Transportation Programs Specialist, to Camille Leung, Project Planner, San Mateo County Planning and Building Department, dated 9/2/14. RE: Big Wave North Parcel Alternative Project.
- 9.2 Letter from Kirsten Keith, C/CAG Vice Chair, to Honorable Jerry Brown, Governor, State of California, dated 8/22/14. RE: Assembly Bill 2170 – Joint powers authorities: common powers as amended on June 17, 2014 – SUPPORT REQUEST FOR SIGNATURE
- 9.3 Letter from Sandy Wong, C/CAG Executive Director, to Ms. Tilly Chang, Executive Director, San Francisco County Transportation Authority, dated 8/15/14. RE: Geneva-Harney BRT Feasibility Study.

- 9.4 Letter from Matthew Fabry, P.E., Program Coordinator, San Mateo Countywide Water Pollution Prevention Program to Jeanine Townsend, Clerk to the Board, State Water Resources Control Board, dated 8/14/14. Subject: Comment Letter – Draft Drinking Water Systems General Permit and Resolution.
- 9.5 Letter from Art Dao, Executive Director, ACTC, Randell Iwasaki, Executive Director, CCTA, Dianne Steinhauser, Executive Director, TAM, Kate Miller, Executive Director, NCTPA, Tilly Chang, Executive Director, SFCTA, Sandy Wong, Executive Director, C/CAG, John Ristow, Chief CMA Officer, VTA, Daryl Halls, Executive Director, STA, Suzanne Smith, Executive Director, SCTA, to Jim Spering, Chairman, Metropolitan Transportation Commission, dated 8/12/14. RE: CMA Comments on the Regional Transportation Plan (RTP).
- 9.6 Notice of Intent, Tom Madalena, City/County Association of Governments of San Mateo County, dated 8/20/14. RE: Notice of Intent to Adopt a Negative Declaration for and Public Comment Notice on a Proposed Update of the Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport.
- 10.0 ADJOURN

The Chair asked the Board to have a moment of silence in memory of September 11, 2001.

The meeting adjourned at 8:16 p.m.

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.2

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 14-44 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement with San Mateo County's Division of Environmental Health, extending the contract through June 30, 2015 at a cost not to exceed \$162,020 to continue implementing public education and outreach activities in accordance with the Municipal Regional Permit.

(For further information or questions, contact Matthew Fabry at 650-599-1419)

RECOMMENDATION

The C/CAG Board waive the Request for Proposals process and approve Resolution 14-44 authorizing the C/CAG Chair to execute Amendment No. 2 to the agreement with San Mateo County's Division of Environmental Health (County Health), extending the contract through June 30, 2015 at a cost not to exceed \$162,020 to continue implementing public education and outreach activities in accordance with the Municipal Regional Permit.

FISCAL IMPACT

The additional cost to provide services through June 2015 is \$162,020. Sufficient funding is included in the NPDES Stormwater Fund of the adopted 2014-15 C/CAG budget to cover County Health's costs.

SOURCE OF FUNDS

The Countywide Program is funded through the NPDES Stormwater Fund (annual property tax assessments) and the Measure M Fund (\$10 vehicle registration fees). Consultant costs are being split evenly between stormwater funds and vehicle registration funds. Sufficient revenue exists between these two sources, in addition to existing fund balances, to pay for the proposed costs.

BACKGROUND

C/CAG previously approved Resolution 11-33, awarding a three year technical consultant contract to County Health, with a term lasting through June 30, 2014. County Health provides support services to C/CAG's Countywide Water Pollution Prevention Program, assisting with implementing the public education and outreach requirements of the Municipal Regional Permit (MRP). Amendment #1, adopted via Resolution 13-27, added additional funds and extended the term of the agreement for six months, through the end of 2014, to enable County Health to continue providing support services through the end of the current five-year term of the MRP, which is scheduled to expire on November 30,

2014. Staff from the Regional Water Quality Control Board, which issues the MRP, has recently indicated reissuance will be delayed, likely until July 1, 2015, and that the existing permit will be administratively extended until the new permit is adopted. Given this delay in permit reissuance, C/CAG staff recommends extending County Health's existing agreement to ensure uninterrupted compliance support services during the anticipated reissuance period. The following table summarizes the costs and time periods for the original agreement, Amendment No. 1, and the proposed Amendment No. 2.

Contract Item	Resolution Number	Time Period	Funding Amount
Original Agreement	11-33	July 1, 2011 – June 30, 2014	\$1,075,839
Amendment No. 1	13-27	July 1, 2014 – Dec 31, 2014	\$213,962
Amendment No. 2 (Proposed)	14-44	Jan 1, 2015 – June 30, 2015	\$162,020

Staff is requesting a waiver of the Request for Proposals process and approval of a six-month contract extension to allow County Health to continue supporting the Countywide Water Pollution Prevention Program through the final months of the MRP's term. The waiver is requested pursuant to C/CAG's Procurement Policy on the basis that County Health has unique experience and expertise in ensuring C/CAG and its member agencies meet the mandated public outreach and education requirements in the MRP (given its role in providing said services throughout the current permit term), and given that the time for another firm to acquire said knowledge and expertise would potentially result in an unacceptable delay and jeopardize member agencies' compliance with MRP terms.

The additional cost for the extra six-month time period is consistent with previous years' costs, but the overall amount for the 2014-15 fiscal year is approximately \$17,000 more than the three previous fiscal years, based on C/CAG staff's request to invest additional resources into the Countywide Water Pollution Prevention Program's website (www.flowstobay.org) and social media-based community engagement. County Health staff's hourly rates remain unchanged from current (2013-14) rates.

The proposed amendment will authorize up to \$162,020 in additional costs and extend the agreement through June 30, 2015. C/CAG staff intends to initiate a Request for Proposals process in early 2015 upon Regional Water Quality Control Board staff issuing a public review draft of the MRP, with the intention of establishing new technical consultant contracts for all of the Countywide Water Pollution Prevention Program's needs by July 1, 2015 and coincident with the anticipated start date of the next five-year MRP term.

ATTACHMENTS

1. Resolution 14-44
2. Proposed Contract Amendment #2
3. Exhibit A – County Health's Proposed January – June 2015 Workplan

RESOLUTION 14-44

AUTHORIZING THE C/CAG CHAIR TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH SAN MATEO COUNTY'S DIVISION OF ENVIRONMENTAL HEALTH (COUNTY HEALTH), EXTENDING THE CONTRACT THROUGH JUNE 30, 2015 AT A COST NOT TO EXCEED \$162,020 TO CONTINUE IMPLEMENTING PUBLIC EDUCATION AND OUTREACH ACTIVITIES IN ACCORDANCE WITH THE MUNICIPAL REGIONAL PERMIT

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that

WHEREAS, C/CAG administers the Countywide Water Pollution Prevention Program; and

WHEREAS, C/CAG requires outside consulting services to provide technical assistance through the end of the five-year term of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit (MRP) to meet outreach and education requirements; and

WHEREAS, Regional Water Quality Control Board staff has indicated the MRP reissuance will be delayed by approximately six months, with the new permit term expected to start on July 1, 2015; and

WHEREAS, C/CAG approved Resolution 11-33 authorizing a three-year contract with County Health for technical consulting services to the Countywide Water Pollution Prevention Program; and

WHEREAS, C/CAG approved Resolution 13-27 authorizing a six-month extension to County Health's contract for services to the Countywide Water Pollution Prevention Program through December 2014; and

WHEREAS, C/CAG's Procurement Policy supports waiving a Request for Proposals process given that County Health has obtained unique expertise and experience in providing technical support to C/CAG during the term of the existing contract and given that the time required for another firm to acquire such expertise and experience could potentially result in an unacceptable delay in providing support services and jeopardize C/CAG's member agencies ability to comply with the MRP; and

WHEREAS, C/CAG authorizes extending County Health's contract to provide uninterrupted compliance support services during the MRP reissuance period in the first half of 2015; and

WHEREAS, County Health prepared a scope of work and budget for support through June 2015;

NOW THEREFORE BE IT RESOLVED that C/CAG hereby waives the requirement for a Request for Proposals process and authorizes the C/CAG Chair to execute an extension to County Health's contract, extending the term through June 2015 at a cost not to exceed \$162,020 to provide continued technical support to the Countywide Water Pollution Prevention Program. Be it further resolved that the C/CAG Executive Director is authorized to negotiate the final terms of said agreement prior to its execution by the C/CAG Chair, subject to approval as to form by C/CAG Legal Counsel.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF OCTOBER, 2014.

Mary Ann Nihart, Chair

**AMENDMENT (No. 2) TO THE AGREEMENT BETWEEN THE CITY/COUNTY
ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AND SAN MATEO
COUNTY'S DIVISION OF ENVIRONMENTAL HEALTH**

WHEREAS, the Board of Directors of the City/County Association of Governments for San Mateo County (hereinafter referred to as C/CAG) and San Mateo County's Division of Environmental Health (hereinafter referred to as Consultant) are parties to an agreement for consulting services dated June 9, 2011 (the "Existing Agreement") and subsequently amended on August 8, 2013; and

WHEREAS, C/CAG desires ongoing consulting services to meet requirements in the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Permit; and

WHEREAS, under the Existing Agreement, Consultant will provide education and outreach services consistent with the requirements of the Municipal Regional Permit through December 31, 2014; and

WHEREAS, the current five-year term of the Municipal Regional Permit ends on November 30, 2014, but reissuance for the next five-year term is not expected until July 2015; and

WHEREAS, Regional Water Quality Control Board staff has indicated it will administratively extend the current Municipal Regional Permit until a revised permit is adopted, thereby continuing the existing permit requirements; and

WHEREAS, Consultant submitted a workplan and budget of \$162,020 to continue providing outreach and education services under the existing Municipal Regional Permit requirements between January 1 and June 30, 2015; and

WHEREAS, Consultant and C/CAG wish to extend the Existing Agreement for an additional six months and an additional payment of up to \$162,020;

IT IS HEREBY AGREED by C/CAG and Consultant that:

1. The Existing Agreement is amended to provide that Consultant will provide the consulting services described in Exhibit A attached to this Amendment (the "Extended Scope of Work") under the terms and conditions of the Existing Agreement, as amended hereby.
2. The Existing Agreement is amended to provide that the funding provided to Consultant by C/CAG for the Extended Scope of Work will be no more than \$162,020 for services in the second half of Fiscal Year 2014-15 (January through June, 2015).
3. The Existing Agreement is amended to provide that its term is extended to June 30, 2015.
4. The Existing Agreement is amended to provide that payment for services for the Extended Scope of Work shall be on a time and materials basis, based upon the

receipt of invoices for the actual costs, and with services to be performed only upon the request of C/CAG staff after review of specific work plans for individual tasks.

5. All other provisions of the Existing Agreement shall remain in full force and effect.
6. The terms hereof amending the Existing Agreement shall take effect upon signature by both parties.
7. In the event of a conflict between the terms of this Amendment and the terms of the Existing Agreement, the terms of this Amendment shall prevail.

For C/CAG:

For Consultant:

Mary Ann Nihart, Chair

Signature

Date: _____

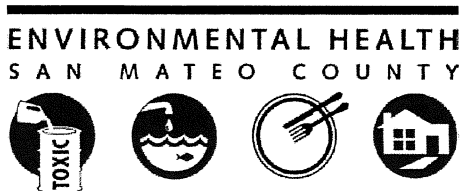
By: _____

EXHIBIT A

County Health's Proposed Workplan

**Scope of Work and Budget
for the Second Half of
Fiscal Year 2014/15**

**Technical Assistance to the
San Mateo Countywide Water Pollution Prevention Program**



Alameda De Las Pulgas, Suite 100
 San Mateo, CA 94403
www.smhealth.org/envirom
 Phone: (650) 372-6200

C.7. Public Information and Outreach WORKPLAN
January to June 2015
Countywide Program Support: Description of Tasks

PIP SUPPORT TASKS

A.1. PROVIDE SUPPORT TO PIP

<ul style="list-style-type: none"> Two PIP Meetings: create agenda, prepare notes, handouts, and outreach materials. Two Environmental Health employees to attend and report at meetings, take meeting minutes and distribute, and any follow-up. Provide additional support as needed to program coordinator and PIP members. 	50 hours	\$7,650
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Attend and participate in two PIP meetings
- One volunteer to serve as Chairperson at meetings

A.2. REPORTING

<ul style="list-style-type: none"> Bi-annual (C/CAG) Annual (RWQCB) 	45 hours	\$6,885
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Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each municipality shall report outreach activities conducted in their jurisdiction, including events staffed by Environmental Health on their behalf. Environmental Health will provide a written event debrief for jurisdictions to use in their annual report.

A.3. ASSIST OTHER SUBCOMMITTEES

As needed: attend meetings, give presentations, assist with press releases and coordinate on outreach materials with other subcommittees and municipalities.	15 hours	\$2,295
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C.7.a. Storm Drain Inlet Marking

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:



- Inspect and maintain storm drain markings of at least 80 percent of municipality maintained inlets to ensure they are legibly labeled with a no dumping message or equivalent once per permit term
- Verify that newly developed streets are marked prior to acceptance of the project.

C.7.b. ADVERTISING CAMPAIGNS

B.1 BASMAA PARTICIPATION

Attend BASMAA monthly meetings to support two regional ad campaigns, one on trash/litter and the other on urban pesticides. Participate in email, meeting prep, research, and follow-up. Act as PIP chair for remainder of 2015 fiscal year, and report to BASMAA board and Countywide Program PIP committee.	40 hours	\$6,120
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B.2 LOCALLY IMPLEMENT REGIONAL AD CAMPAIGNS

Provide input on development of regional outreach materials. Produce and implement regional materials for use at local events, promotions, and campaigns as needed. Conduct a minimum of 2 events specifically focused on the litter campaign at various locations in the County.	20 hours	\$3,060
Materials and Advertising	Cost	\$250

Other Agency Responsibilities

City/County Association of Governments (C/CAG):

- Contribute population-based share to regional advertising campaign.

Regional/BASMAA:

- Target a broad audience with two separate advertising campaigns, one on trash/litter and the other on reducing impact of urban pesticides, within the permit cycle.

C.7.c. MEDIA RELATIONS – USE OF FREE MEDIA

C. LOCAL MEDIA PITCHES

Conduct a minimum of two local media relations pitches (e.g. press release, public service announcements) to include promotion of rain barrel discount program	25 hours	\$3,825
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Other Agency Responsibilities

Regional/BASMAA:

- Conduct regional level pitches

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C.7.d. STORMWATER POINT OF CONTACT

D.1. WEBSITE

Maintain email and website, updating based on program needs. Publish contact information, printed materials, PSA's, and press releases. Send out emails to subscribers. Track website visitor traffic with monthly reports. Review watershed group websites monthly and add events to online calendar.	130 hours	\$19,890
Payment for hosting website (1 year).	Payment	\$120
Contractor technical support for troubleshooting and special projects	Cost	\$10,000

D.2. RESPOND TO EMAILS, COMMENTS & CALLS

Provide public contact information and respond to emails and calls from the public, organizations, cities, and co-permittees. Respond to comments on social media.	20 hours	\$3,060
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D.3. SOCIAL MEDIA

Use Flowstobay branded outlets such as Facebook, Twitter, Instagram, and You Tube to reach and interact with local media, citizens, and groups, and to drive visitors to the website. Track effectiveness with metrics such as number of video views, FB friends and Twitter followers, and active response to postings (comments, discussion, re-posting on personal or media sites). Adjust use of particular channels in response to tracking results.	90 hours	\$13,770
Advertising	Cost	\$1,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Provide Public Contact for Illicit Discharge Coordinator
- Provide Public Contact for Stormwater Business Inspector

City/County Association of Governments (C/CAG):

- Respond to media inquiries, and review drafts of press releases.

SMCWPPP Subcommittees:

- Maintain committee web pages with oversight from Environmental Health

C.7.e. PUBLIC OUTREACH EVENTS

E.1. PUBLIC OUTREACH EVENTS

Staff approximately 5 events in 5 different municipalities to help	60 hours	\$9,180
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cities/towns/unincorporated County meet permit requirements. Prioritize those that have more event requirements; track effectiveness of outreach and provide this information to the municipality for reporting purposes. Staff one County-wide event, publicized with PIP member help.		
Booth cost	Payment	\$100

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each municipality shall participate and/or host the number of events according to its population as shown in Table 7.1 of the MRP for Public Outreach Events. In the Annual Report list the events participated in and assess the effectiveness of efforts with appropriate measures.

E.2. OUTREACH MATERIALS

Order materials (research cost(s), setup order, review, process invoices, organize materials into storage for use) Provide outreach materials by request to nonprofits, schools, residents, and municipalities; evaluate request, gather materials, and arrange for pickup, delivery, or mailing. Track organization requests.	20 hours	\$3,060
Outreach Materials	Materials	\$2,500

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Request outreach materials at least two weeks before scheduled outreach event.
- Acquire new outreach materials at PIP meetings and make available to residents.

E.3. CAR WASH OUTREACH

Work with Car Wash business partners to promote use of commercial car washes. Continue with media advertisements with pollution prevention messages.	25 hours	\$3,825
Materials and Advertising	Cost	\$1,500

C.7.f. WATERSHED STEWARDSHIP COLLABORATIVE EFFORTS

F.1 WATERSHED GROUPS GUIDE

The Watershed Groups Guide will be updated during the first half of FY 14-15.	0 hrs	\$0
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F.2 SPRING CLEANUP EVENTS

Direct residents to their local stewardship group for spring events and involvement, and update web contact information. Promote involvement via FB, Twitter, YT, and tabling events. Coordinate with stewardship groups and municipalities to promote existing spring cleanup events.	40 hours	\$6,120
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Materials and Advertising	Cost	\$1,500
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F.3 OUTREACH TO NEW AND EXISTING GROUPS

Increase engagement with existing watershed stewardship groups, and work to identify and engage new groups for the purpose of expanding public involvement in stormwater issues.	60 hours	\$9,180
Materials and Advertising	Cost	\$2,000

Other Agency Responsibilities

City/Town/County Co-Permittees:

- Each jurisdiction shall report on the results and effectiveness of efforts to encourage and support watershed stewardship collaborative efforts of community groups, and the development of new groups.

C.7.g. CITIZEN INVOLVEMENT EVENTS

G.1. CALIFORNIA COASTAL CLEANUP DAY

Preliminary work to coordinate the state- initiated September cleanup event countywide.	15 hours	\$2,295
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City/Town/County Co-Permittees:

- Each permittee shall sponsor and/or host the number of citizen events according to its population as shown in Table 7.2 Community Involvement Events.

Note: the Countywide California Coastal Cleanup Day counts as one event toward each permittees total. Permittees can also count one event for the awarding of the community action grant to an organization within their jurisdiction.

C.7.h. SCHOOL-AGE CHILDREN OUTREACH

H.1. SCHOOL ASSEMBLIES

Kindergarten through 5 th grade school assembly program.	20 hours	\$3,060
Contract with the Banana Slug String Band	Contract	\$10,000

H.2. MIDDLE AND HIGH SCHOOL PRESENTATIONS

6-12 th grade presentations/events for water pollution prevention	50 hours	\$7,650
Materials for outreach	Materials	\$500

Other Agency Responsibilities

City/Town/County Co-Permittees:

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- One Volunteer from the PIP subcommittee to work with Municipal Maintenance Committee volunteer to be a judge and present award at the Science Fair.
- Assist as needed with contacting schools for the purpose of scheduling outreach presentations.

C.7.i. OUTREACH TO MUNICIPAL OFFICIALS

No Contractor support.

Other Agency Responsibilities

City/Town/County Co-Permittees:

- At least once per permit cycle conduct outreach to municipal officials to increase overall awareness of stormwater and/or watershed message(s).

C.9.h. PESTICIDES TOXICITY CONTROL PUBLIC OUTREACH;

i. Point of Purchase Outreach

iii. Pest Control Contracting Outreach

i. I.1. PESTICIDES PUBLIC OUTREACH: OUR WATER, OUR WORLD

Maintain retail partnership stores – visit stores year to update shelf talkers and fact sheets. Order, organize, store, and distribute materials. Conduct outreach to residents who purchase pesticides or hire home gardeners, through presentations and tabling events. Conduct training to store employees about IPM and program materials. Participate in regional meetings. Provide information to residents on Pest Control Operators trained in IPM.	125 hours	\$19,125
Partnership store supplies: fact sheets, shelf talkers, tape, literature rack, labels. Outreach materials for residents.	Materials	\$2,500

Other Agency Responsibilities

Regional/BASMAA:

- Coordinates Our Water, Our World Program with County partners: Arrange and solicit print runs, provide consultant to staff booths at trade shows, liaison with the corporate partners Home Depot and Orchard Supply Hardware. Arrange print advertising in magazines, newspapers, bus shelters, as determined at regional meetings. Report effectiveness of program.

v. Outreach to Pest Control Operators

I.2. PROMOTE IPM TRAINING

Promotion of IPM training courses for landscaping and structural pest control operators registered in San Mateo County will take place during the first half of FY 14-15.	0 hours	\$0
Promotional Materials	Materials	\$0

TOTAL PROGRAM COSTS 1/-6/ 2015

\$162,020

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.3

From: Sandy Wong, Executive Director

Subject: SFO Comprehensive Airport Land Use Compatibility Plan (ALUCP) Consistency Review -
Town of Hillsborough Re: General Plan Amendment: Housing Element 2014-2022 Draft
Final

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

RECOMMENDATION

That the C/CAG Board, acting as the Airport Land Use Commission, determine that the Town of Hillsborough's proposed general plan amendment, Housing Element 2014-2022 Draft Final (July, 2014) is consistent with the applicable airport/land use policies and criteria contained in the adopted 2012 Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

FISCAL IMPACT

None

SOURCE OF FUNDS

Not applicable

BACKGROUND

The State of California requires each city, county, or city and county, to adopt a comprehensive, long-term general plan for the future physical development of the community. The housing element is one of seven mandated elements of a local general plan (the general plan also includes a land use element and a noise element). Housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. As a result, housing policy in the State of California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

The Town of Hillsborough has referred its Housing Element 2014-2022 Draft Final (July, 2014) to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport/land use compatibility criteria in the SFO ALUCP. The Housing Element is subject to ALUC/C/CAG review, pursuant to PUC Section 21676 (b).

The Housing Element 2014-2022 Draft Final (July, 2014) is a policy document that identifies goals, policies, programs, and other city actions to address existing and projected housing needs in the town. The Association of Bay Area Governments (ABAG) projected regional housing allocation requires the Town of Hillsborough to plan for the construction 91 new dwelling units between 2014 and 2022.

The Housing Element document identifies 10 potential single family sites in Hillsborough that are likely to be available for additional housing by 2014. There are also 7 lots that can be subdivided as well as 3 institutional sites that allow for multifamily housing. The estimated total number of future dwelling units that could be built on these sites is 159. As explained in the text of the Draft Final Housing Element document (pp. 20-23) there is more than enough available land in Hillsborough to provide for the construction of 91 new dwelling units over the next eight years.

DISCUSSION

I. ALUCP Consistency Evaluation

There are three airport/land use compatibility issues addressed in the Comprehensive Airport Land Use Compatibility Plan (ALUCP) for the Environs of San Francisco International Airport that relate to the proposed general plan amendment. These include: (a.) Consistency with noise compatibility policies, (b.) Height of Structures, Use of Airspace, and Airspace Compatibility, and (c.) Safety Criteria. The following sections address each issue.

(a) Consistency with Noise Compatibility Policies

The 65 db CNEL (Community Noise Equivalent Level) aircraft noise contour defines the state and federal threshold for aircraft noise impacts. The Town of Hillsborough is located outside of the most recent 65 dB CNEL aircraft noise contour for San Francisco International Airport as shown in the adopted 2012 SFO ALUCP.

(b) Height of Structures, Use of Airspace, and Airspace Compatibility

The Airport Land Use Commission (C/CAG Board) has adopted the provisions in Federal Aviation Regulations FAR Part 77, "Objects Affecting Navigable Airspace," as amended, to establish height restrictions and federal notification requirements related to proposed development within the FAR Part 77 airspace boundaries for San Francisco International Airport. The regulations contain three key elements: (1.) standards for determining obstructions in the navigable airspace and designation of imaginary surfaces for airspace protection, (2.) requirements for project sponsors to provide notice to the FAA of certain proposed construction or alteration of structures that may affect the navigable airspace and (3.) the initiation of aeronautical studies, by the Federal Aviation Administration (FAA), to determine the potential effect(s), if any, of proposed construction or alterations of structures on the subject airspace.

Three potential housing sites: (1) 101 Tiptoe Lane, (2) Regan Estate, and (3) the Burlingame Country Club are located within the FAR Part 77 Conical Surface (imaginary surface) for San Francisco International Airport.

Based on analysis provided by the San Francisco International Airport (SFO) Planning Staff using SFO's iALP Airspace Tool, the 3 sites that fall within the 14 CFR Part 77 Conical Surface zone as identified in the SFO ALUCP could be built out with structures as long as the building heights do not penetrate the 90 feet above ground level that was identified as the nearest critical airspace surface. In most cases for these sites the critical airspace surface is actually much higher. Based on the current zoning in Hillsborough which allows for housing to be up to 32 feet, the housing element would be consistent with the SFO ALUCP as it relates to airspace protection. According to the current analysis of airspace and existing Hillsborough zoning the three sites would not require FAA review.

(c) Safety Criteria

The California Airport/Land Use Planning Handbook requires airport land use compatibility plans to include safety zones for each runway end. The ALUCP includes the required safety zones and related land use compatibility policies and criteria. The safety zone configurations established for the SFO ALCUP do not affect the Town of Hillsborough.

II. Real Estate Disclosure

This section is being included to reinforce the concept that real estate disclosure exists per State law and it is part of the real estate transaction process. This would occur during a real estate transaction and is outside the Town of Hillsborough's responsibility.

California Public Utilities Code PUC Section 21674.7 states the following:

"An airport land use commission...shall be guided by information prepared and updated pursuant to Section 21674.5 and referred to as the Airport Land Use Planning Handbook published by the Division of Aeronautics ..."

The California Airport Land Use Planning Handbook October 2011 states the following:

Notice of Airport in Vicinity:

"This property is presently located in the vicinity of an airport, within what is known as the airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."

Chapter 496, Statutes of 2002 (formerly AB 2776 (Simitian)) affects all sales of real property that may occur within an airport influence area (AIA) boundary. It requires a statement (notice) to be included in the property transfer documents that (1) indicates the subject property is located within an airport influence area (AIA) boundary and (2) that the property may be subject to certain impacts from airport/aircraft operations.

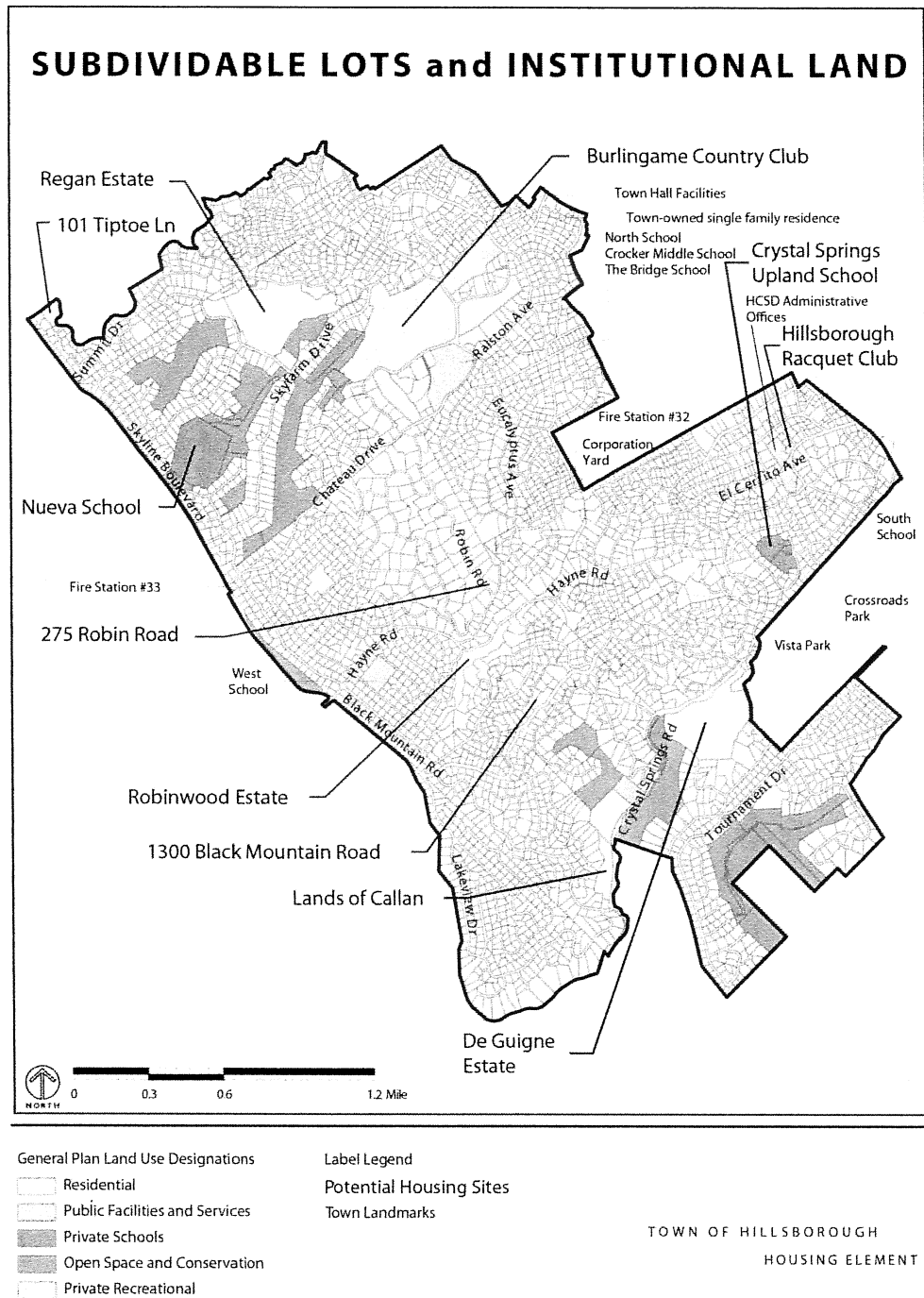
III. Compliance with California Government Code Section 65302.3

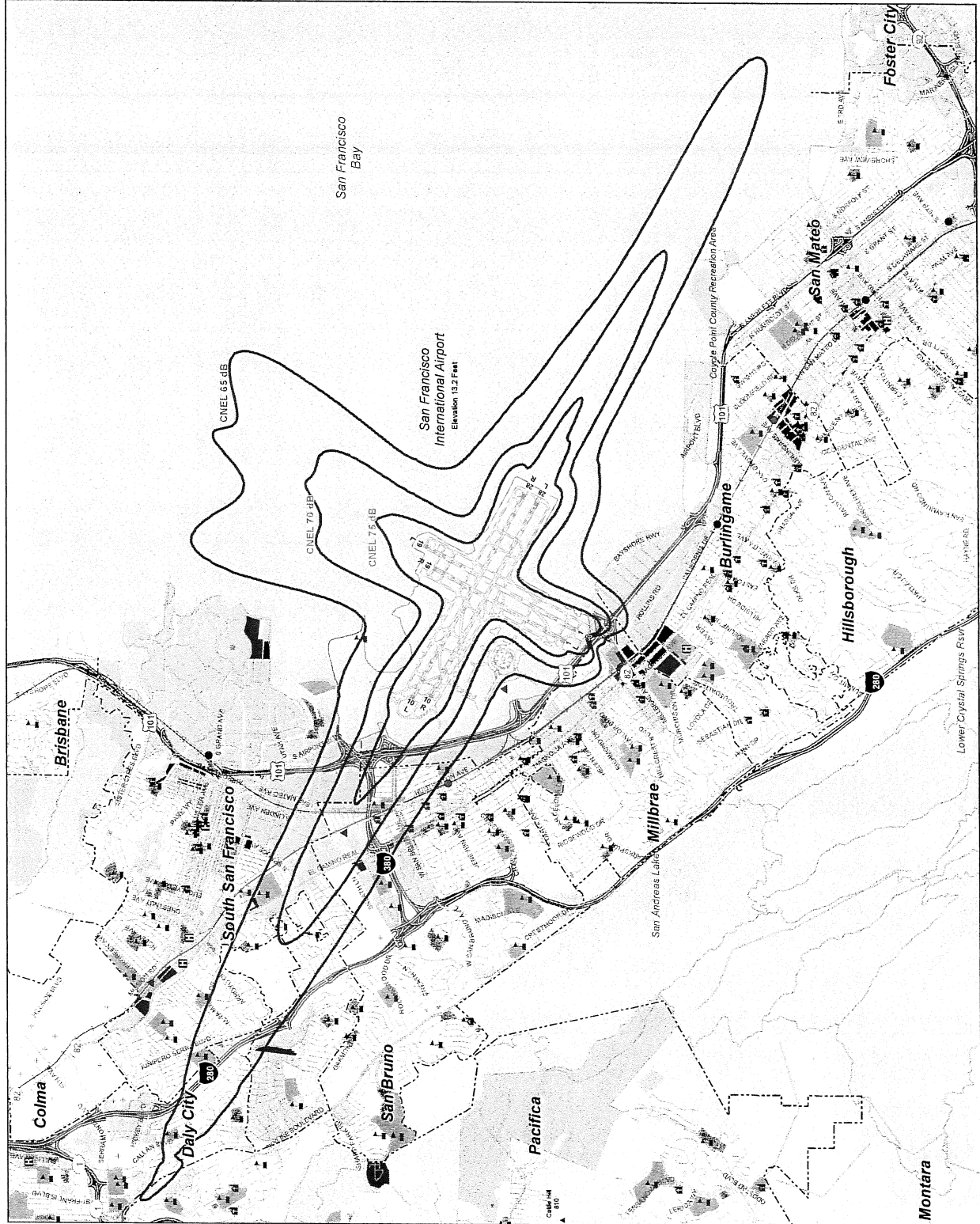
California Government Code Section 65302.3 states that a local agency general plan and/or any affected specific plan must be consistent with the applicable airport/land use compatibility criteria in the relevant adopted airport land use compatibility plan (ALUCP). The Town of Hillsborough Housing Element 2014-2022 Draft Final (July, 2014) should include appropriate text that indicates the goals, objectives, policies, and programs contained in the Housing Element document are consistent with the relevant airport/land use compatibility criteria contained in the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

ATTACHMENTS

1. Map of Hillsborough Potential Housing Sites from Draft 2014 Housing Element
2. Exhibit IV-5 Noise Compatibility Zones
3. Exhibit IV-4 Boundary for Airport Influence Area B and 14 CFR Part 77 Conical Surface

Figure A. Map of Subdividable Lots and Institutional Land





- LEGEND**
- CNEL Contour, 2020 Forecast
 - Airport Property
 - BART Station
 - CALTRAIN Station
 - School
 - Place of Worship
 - Hospital
 - Municipal Boundary
 - Railroad
 - Freeway
 - Road
 - Planned Land Use Per General Plans:
 - Public
 - Multi-Family Residential
 - Single Family Residential
 - Mixed Use
 - Transit Oriented Development
 - Commercial
 - Industrial, Transportation, and Utilities
 - Local Park, Golf Course, Cemetery
 - Regional Park or Recreation Area
 - Open Space
 - Planned use not mapped

Sources:

Noise Contour Data:
 - Draft Environmental Assessment, Proposed Runway Safety Area Program, San Francisco International Airport, URS Corporation and BridgeNet International, June 2011

County Base Maps:

- San Mateo County Planning & Building Department, 2007

Local Plans:

- Burlingame Bayfront Specific Area Plan, August 2006
- Burlingame Downtown Specific Plan, January 2009
- Burlingame General Map, September 1984
- North Burlingame/Rollins Road Specific Plan, February 2007
- Colma Municipal Code Zoning Maps, December 2003
- Daily City General Plan Land Use Map, 1987
- Hillsborough General Plan, November 1998
- Millbrae Land Use Plan, November 1998
- Pacifica General Plan, August 1996
- San Bruno General Plan, December 2008
- San Mateo City Land Use Plan, March 2007
- San Mateo County Zoning Map, 1992
- South San Francisco General Plan, 1998

NORTH



0 0.275 0.55 1.1 Miles

Exhibit IV-5
NOISE COMPATIBILITY ZONES
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
CICAG
 City/County Association of Governments
 of San Mateo County, California

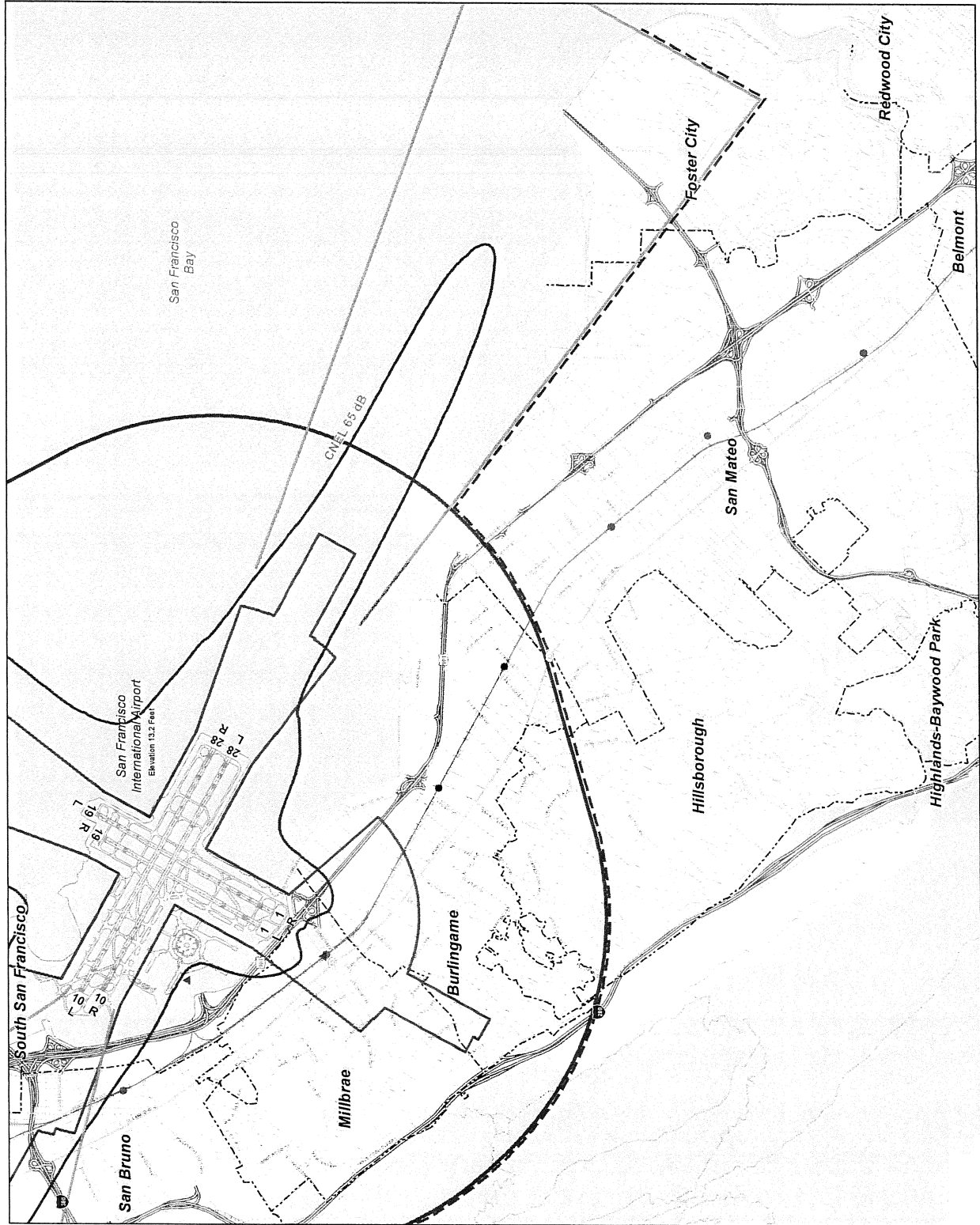


Exhibit IV-4
**AIRPORT INFLUENCE AREA B –
 SOUTHEAST SIDE**
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
CICAG
 City/County Association of Governments
 of San Mateo County, California

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.4

From: Sandy Wong, Executive Director

Subject: SFO Comprehensive Airport Land Use Compatibility Plan (ALUCP) Consistency Review – Daly City Re: General Plan Amendment: Housing Element 2014-2022 Administrative Draft

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

RECOMMENDATION

That the C/CAG Board, acting as the Airport Land Use Commission, determine that Daly City's proposed General Plan Amendment, Housing Element 2014-2022 Administrative Draft is consistent with the applicable airport/land use policies and criteria contained in the adopted 2012 Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

Policy HE-3 (Creation of new Mixed-Use zone, C-MU) of the Administrative Draft Housing Element is not included in the above Determination of Consistency. Increased building height limitations are being explored for this new zone. Therefore, the zoning amendment will require ALUC airspace review and Consistency Findings before approval.

FISCAL IMPACT

None

SOURCE OF FUNDS

Not applicable

BACKGROUND

California Government Code Section 65302.3 states that a local agency General Plan and/or any affected specific plan must be consistent with the applicable airport/land use criteria in the relevant adopted Airport Land Use Compatibility Plan (ALUCP). Daly City's Housing Element 2014-2022 should include appropriate text that indicates the goals, objectives, policies, and programs contained in the Housing Element document are consistent with the relevant airport/land use compatibility criteria contained in SFO ALUCP.

The State of California requires each city and county, to adopt a comprehensive, long-term general plan for the future physical development of the community. The housing element is one of seven mandated elements of a local general plan (the general plan also includes a land use, safety, and noise element). Housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. As a result, housing policy in the

State of California rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

Daly City has referred its Administrative Draft Housing Element 2014-2022 to C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with relevant airport/land use compatibility criteria in the 2012 SFO ALUCP. The Housing Element is subject to ALUC/C/CAG review, pursuant to California Public Utilities Code (PUC) Section 21676 (b). The Administrative Draft Housing Element is a policy document that identifies goals, policies, programs, and other actions to address existing and projected housing needs in the city. The Association of Bay Area Government's (ABAG) projected regional housing allocation requires Daly City to plan for the construction 1,350 new dwelling units between 2014 and 2022.

Relative to the SFO ALUCP, Daly City's jurisdictional boundary and sphere of influence lies outside of the airport's adopted safety zones. Therefore, all ALUC reviews for Daly City focus on consistency with the noise and airspace protection policies. Attachment 1, Figure HE-8 shows twenty-eight sites that have been identified for future development to ensure adequate housing per state RHNA requirements. Of these twenty-eight sites, twenty-five either have received approved entitlements or are presently zoned for the residential uses desired, with three areas requiring either a General Plan/Specific Plan Amendment and/or a Rezone. The SamTrans Park-and-Ride lot site location number 26 at 3501 Junipero Serra Boulevard) is the only future housing site of these three that is located within the SFO Airport Influence Area B – Land Use Policy Action/Project Referral Area (Attachment 2A). The Bart Area Specific Plan will be amended to redesignate the SamTrans Park-and-Ride lot to a High Density Residential designation.

DISCUSSION

ALUCP Consistency Evaluation

The evaluation of consistency of the Housing Element with the 2012 SFO ALUCP is organized into three sections: (a) consistency with noise compatibility policies; (b) consistency with height restriction/airspace protection policies; and (c) review of the policies contained within the Administrative Draft Housing Element for conflicts and inconsistencies with the adopted ALUCP policies.

Note that Daly City lies outside the ALUCP safety zones for SFO. Therefore there is no need to discuss the Housing Element's consistency with ALUCP safety compatibility policies.

(a) Consistency with Noise Compatibility Policies

Applicable Background

The Community Noise Equivalent Level (CNEL) 65 dB aircraft noise contour defines the threshold for aircraft noise impacts established in the SFO ALUCP. As depicted on Attachment 2B, the majority of Daly City is located outside of the most recent (2012) CNEL 65 dB aircraft noise contour for SFO.

The airport noise/land use compatibility standards of the current ALUCP that relate to the Draft Housing Element are provided below in Table 1.

Table 1
Aircraft Noise/Land Use Compatibility Standards for San Francisco International Airport Plan Area

LAND USE	COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)			
	BELOW 65 dB	65-70 dB	70-75 dB	75 dB AND OVER
Residential				
Residential, single family detached	Y	C	N (a)	N
Residential, multi-family and single family attached	Y	C	N (a)	N
Transient lodgings	Y	C	C	N

Notes:

CNEL = Community Noise Equivalent Level, in A-weighted decibels.

Y (Yes) = Land use and related structures compatible without restrictions.

C (conditionally compatible) = Land use and related structures are permitted, provided that sound insulation is provided to reduce interior noise levels from exterior sources to CNEL 45 dB or lower and that an avigation easement is granted to the City and County of San Francisco as operator of SFO. See Policy NP-3.

N (No) = Land use and related structures are not compatible..

(a) Use is conditionally compatible only on an existing lot of record zoned only for residential use as of the effective date of the ALUCP. Use must be sound-insulated to achieve an indoor noise level of CNEL 45 dB or less from exterior sources. The property owners shall grant an avigation easement to the City and County of San Francisco prior to issuance of a building permit for the proposed building or structure. If the proposed development is not built, then, upon notice by the local permitting authority, SFO shall record a notice of termination of the avigation easement.

Source: *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*, November 2012, p. IV-18

Prepared by: Ricondo & Associates, Inc. September 2014

Consistency Findings: Noise Compatibility

The SamTrans Park-and-Ride lot portion of the Bart Station's Specific Plan is not located within the CNEL 65 dB or greater noise contour. Thus, the area's redesignation/rezoning is consistent with the noise compatibility policies of the 2012 ALUCP. No sound attenuation or avigation easement requirements are necessary.

(b) Height of Structures, Use of Airspace, and Airspace Compatibility

Applicable Background

In the SFO ALUCP, the Airport Land Use Commission (C/CAG Board) has adopted a two-part standard for establishing maximum allowable structure heights in Airport Influence Area B.

1. First, any structures that would penetrate the airspace surfaces depicted on the "Critical Aeronautical Surfaces Map" (Exhibits IV-17 and IV-18 in the ALUCP) would be considered incompatible with the ALUCP.
2. Second, any structure determined by the FAA to be a hazard to air navigation, even if it would not penetrate a "critical aeronautical surface" as depicted in Exhibits IV-17 and IV-18, would be considered incompatible with the ALUCP, unless a permit for the structure is issued by the Caltrans Aeronautics Program.

Federal Aviation Regulations, Part 77

Title 14 Code of Federal Regulations (CFR) Part 77, Part 77 contains three key elements related to airspace protection: (1) standards for determining obstructions in the navigable airspace and designation of imaginary surfaces for airspace protection; (2) requirements for project sponsors to provide notice to the FAA of certain proposed construction or alteration of structures that may affect the navigable airspace and (3) the initiation of aeronautical studies, by the FAA, to determine the potential effect(s), if any, of proposed construction or alterations of structures on the subject airspace.,

Part 77, Subpart C, establishes obstruction standards for the airspace around airports including approach zones, conical zones, transitional zones, and horizontal zones known as “imaginary surfaces.” (Attachment 2C). The FAA considers any objects penetrating these surfaces as obstructions to air navigation. Obstructions may occur without compromising safe air navigation, but they must be marked, lighted, and noted on aeronautical publications to ensure that pilots can see and avoid them.

Any proposed new construction or expansion of existing structures that would penetrate any of the FAR Part 77 imaginary surfaces for San Francisco International Airport, as adopted by the Airport Land Use Commission (C/CAG), is deemed to be an incompatible land use, unless either the FAA has determined that the proposed structure does not constitute a hazard to air navigation or the State Aeronautics Program has issued a permit to allow construction of the proposed structure.

Airspace Mapping – Maximum Compatible Building Height

Proposed structures penetrating “required obstacle clearance” areas would be constituted as hazards, as defined by the FAA. These required obstacle clearance surfaces are established by the FAA according to criteria published in FAA Order 8260.3B, U.S. Standard for Terminal Instrument Procedures (TERPS), and are typically referred to as TERPS surfaces.

In order to be deemed consistent with the ALUCP, the maximum height of a new building must be the lower of (1) the height shown on the SFO critical aeronautical surfaces map, or (2) the maximum height determined not to be a “hazard to air navigation” by the FAA in an aeronautical study. (Refer to Attachment 2D for a depiction of the critical aeronautical surfaces in the Daly City area.)

Consistency Findings: Airspace Protection

The Housing Element Update is proposing three areas for Redesignation/Rezoning to allow for mixed uses and/or a higher density residential. Of these three areas, the Bart Station Specific Plan (SamTrans Park-and-Ride lot) Project is located within the SFO Airport Influence Area B. The Specific Plan will be amended to rezone the SamTrans Park-and-Ride lot to High Density Residential. The zone’s structure height limitations were not provided within the Administrative Draft Housing Element.

The rezoning of the SamTrans project site will allow for high density residential uses with a typical height of three-four stories (per the Specific Plan’s description of the high density residential land use zone) built over structured parking. Although height limitations were not provided in the Administrative Draft Housing Element, an analysis of the site using SFO’s iALP Airspace Tool showed that the area is located below the lowest SFO critical aeronautical surface (approximately 250 feet), a penetration of which would be incompatible with the SFO ALUCP and also likely lead to a hazard determination through FAA’s obstruction evaluation/ airport airspace analysis (OE/AAA) process.

Although lacking detailed site specific information regarding the height limitation of the high density residential zoning of the Bart Area Specific Plan, it is estimated that the zoning requirements would result in maximum structure heights of 40 to 70 feet at the SamTrans project site. Thus, ALUC staff is able to conclude that the maximum building heights would not penetrate the SFO critical aeronautical surfaces, and is therefore found consistent with the Airspace Protection Policies of the 2012 SFO ALUCP.

Due to the height of the terrain, future development on these sites may require FAA review to evaluate potential airspace impacts. The review process is initiated by the project sponsor, via a submittal to the FAA, before or at the time a development proposal is submitted to Daly City. (The FAA has established an on-line tool for the use of project sponsors in determining whether they must submit a “Notice of Proposed Construction or Alteration” to the FAA. Refer to page IV-35 of the SFO ALUCP for more information.) The larger issue of airspace protection, and airport land use compatibility in general, in Daly City should be addressed in the Land Use and Safety Elements of the General Plan.

(c) Policy Review

Policy HE-3, Implementation Task HE-3.1 states that within one year of the Housing Element adoption, the City shall establish a Commercial Mixed-Use (C-MU) zone and, as part of this task, explore increased building heights within the new zone. At the time of this review, the ALUC does not have complete information on the specific locations of the new zone, nor does it have information regarding height limitations allowed within the zone. Therefore, this ALUCP consistency determination does not include this component of the Housing Element’s future development. When information becomes available, the City shall submit the Zoning Amendment to the ALUC for airspace review and Consistency Findings before approval.

ATTACHMENTS

1. **Attachment No. 1** - Daly City Housing Element - Table HE-56 Summary of Regional Housing Need Allocation Compliance and Daly City Housing Element - Figure HE-8 Housing Site Location Map
2. **Attachment No. 2A** - Exhibit IV-3 Airport Influence Area B Northside – Land Use Policy Action/Project Referral Area, 2012 SFO ALUCP
3. **Attachment No. 2B** - Exhibit IV-6 Noise Compatibility Zones for San Francisco International Airport, 2012 SFO ALUCP
4. **Attachment No. 2C** - Exhibit IV-14 14 CFR Part 77 Airport Imaginary Surfaces, Northside, 2012 SFO ALUCP
5. **Attachment No. 2D** - Exhibit IV-17 Critical Aeronautical Surfaces – Northwest Side, 2012 SFO ALUCP

Table HE-56

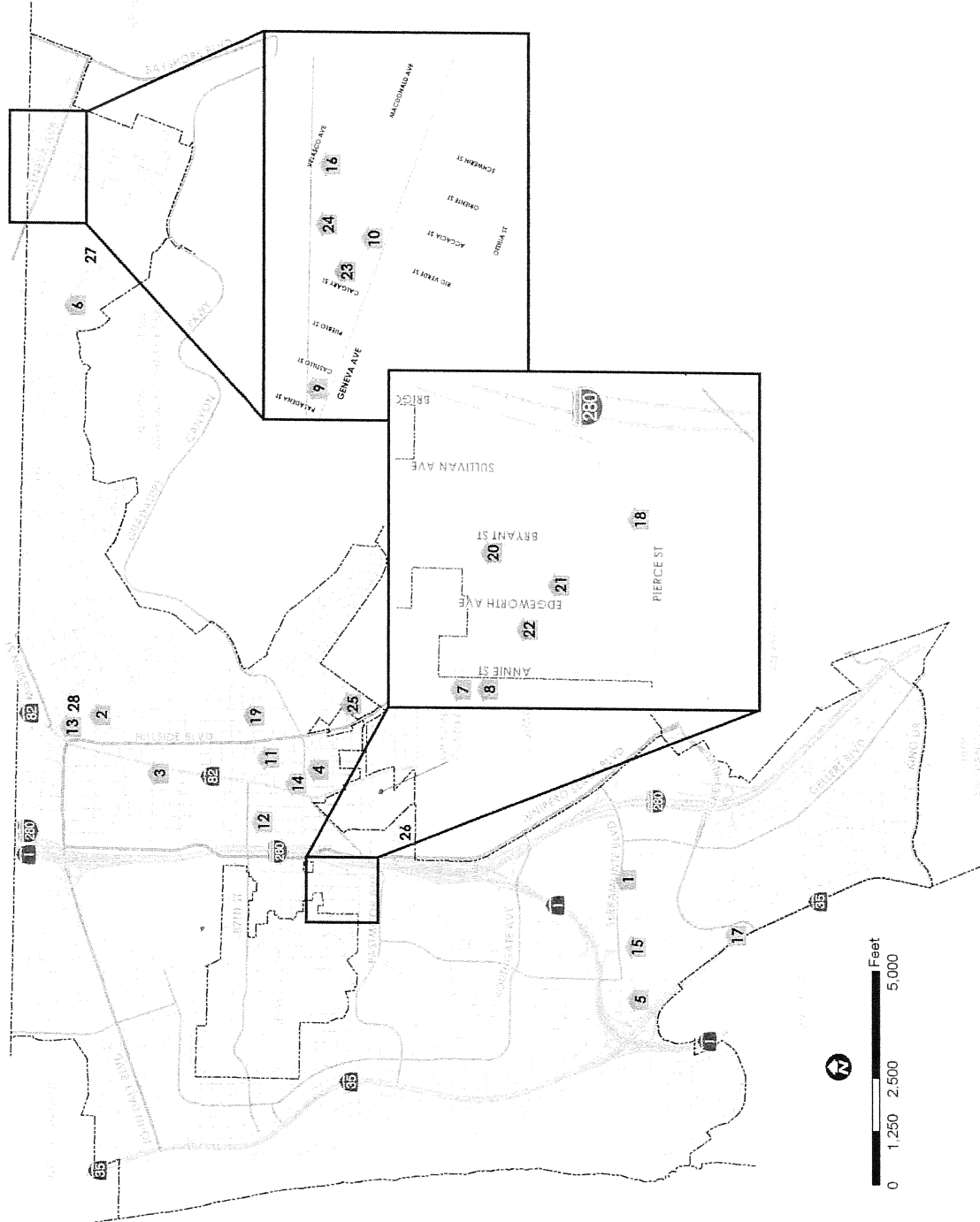
SUMMARY OF REGIONAL HOUSING NEED ALLOCATION COMPLIANCE

Site #	Reference Name (owner name)	Street Address/ATN	General Plan Designation	Current Zoning	Existing Use	Entitlement Status	Site Size	Assumed Density (du/acre)	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total Development Capacity	
1	Sennockville Condominiums (CA - Dady, LLC)	(No assigned address) (APN 091-247-060)	Residential High Density	Planned Development	Vacant land	Approved	4.00 ac	50 du/acre	10	30	20	80	60	200	
2	18 Homes Residential Subdivision	307 Pacific Street (APN 003-211-153)	Residential Low Density	Planned Development	Vacant land	Approved	4.91 ac	11 du/acre	0	0	0	0	54	54	
3	Melton Street Apartments (HDF-Paradise Housing Coalition - The Firm)	6800 - 6814 Melton (APN 003-172-402 -130 -140 -150 -160 -170 -180 -190)	Commercial Mixed-Use	C-1 Light Commercial	Closed auto dealership and vacant office	Approved	0.77 ac	68 du/acre	6	32	13	1	0	52	
4	Garden Valley Townhome (Cody)	320 Third Avenue (004-99-250) Hwy-4200-004-99-250-170, -190 & -200	Residential Medium Density	Planned Development	Vacant land	Approved	1.70 ac	26 du/acre	0	0	0	0	50	50	
5	Chelapee Highway Residential Subdivision (Lenox)	60 Chelapee Court (APN 005-545-029)	Residential Low Density	R-1 Single-Family Residential	Closed public elementary school	Approved	14.00 ac	6 du/acre	0	0	0	0	90	90	
6	Park Martin Residential Subdivision (Cary)	1 Sierra Court Way (APN 005-042-029)	Residential Low Density	Planned Development	Vacant land	Approved	1.84 ac	9 du/acre	0	0	0	0	16	16	
7	Anne Street Residential Subdivision (Cory)	1500 Anne Street (APN 004-241-010, 004-241-020, and 004-188-003)	Commercial Mixed-Use	Residential Retail Commercial (C-R/R)	Selling home and contractor yard	Approved	2.40 ac	7 du/acre	0	0	0	0	17	17	
8	Anne Street Residential Subdivision (Jefferson)	154 Anne Street (APN 004-241-003)	Commercial Mixed-Use	Residential Retail Commercial (C-R/R)	Greenhouse and existing home	Approved	0.34 ac	12 du/acre	0	0	0	0	4	4	
9	Geneva Avenue Int'l. Pasadena/Collins (Barnett/Wadsworth)	231 and 333 Geneva Avenue (APN 005-061-010 Hwy 075)	Commercial Mixed-Use	C-1 Light Commercial	Vacant land	Zoned	0.37 ac	57 du/acre	1	3	2	8	6	21	
10	Geneva/Rio Verde NE Corner (Patt)	(No assigned address) (APN 005-061-120, -130, -140, and -193)	Commercial Mixed-Use	C-1 Light Commercial	Vacant land	Zoned	0.35 ac	57 du/acre	1	3	2	8	6	20	
11	Castle/Third Greenhouse Site	89 Second Avenue (APN 005-234-039)	Residential High Density	R-3 Multiple-Family Residential	Greenhouse and existing home	Zoned	0.46 ac	50 du/acre	1	3	2	9	7	23	
12	130 Station Avenue (Unicost)	130 Station Avenue	Residential High Density	R-3 Multiple-Family Residential	Vacant land	Zoned	0.23 ac	50 du/acre	1	2	1	5	3	12	
13	Burnside Street across from Chees Court (Mormon Church)	(No assigned address) (APN 003-210-260)	Commercial Mixed-Use	C-2 Heavy Commercial	Vacant land	Zoned	1.15 ac	43 du/acre	3	8	5	20	15	50	
14	E. Market between Mission Street and First Street (Galekade)	(No assigned address) (APN 004-251-510, -520, and -290)	Commercial Mixed-Use	C-1 Light Commercial	Office building and vacant land	Zoned	0.74 ac	40 du/acre	1	4	3	12	9	30	
15	Sennockville Dairy Farm (JUSD)	(No assigned address) (APN 091-211-230)	Office Commercial	Planned Development	Closed High school site (vacant portion)	Zoned	4.97 ac	35 du/acre	9	26	18	70	53	175	
16	Sennockville Church Property	(No assigned address) (APN 005-067-210 and 220)	Residential Medium Density	R-2 Two-Family Residential	Parking lot	Zoned	0.57 ac	35 du/acre	1	3	2	8	6	20	
17	St. Francis Court Condominiums (Sylvia Heights Partners)	1030 St. Francis Boulevard (APN 091-211-340)	Residential Medium Density	Planned Development	Vacant land	Zoned	2.49 ac	35 du/acre	4	13	9	35	26	87	
18	Bryant Street Apartments	169 Bryant Street (APN 004-346-143)	Commercial Mixed-Use	Residential Retail Commercial (C-R/R)	Auto repair operation	Zoned	1.36 ac	35 du/acre	2	7	5	19	14	48	
19	First Avenue Greenhouse (Aloia)	169 First Avenue (APN 004-252-090)	Residential Medium-Low Density	R-3 Multiple-Family Residential	Greenhouses	Zoned	1.00 ac	20 du/acre	0	0	0	0	20	20	
20	Washington/Bryant Greenhouse Site	(No assigned address) (APN 004-345-070)	Commercial Mixed-Use	Residential Retail Commercial (C-R/R)	Nursery (no structures)	Zoned	0.34 ac	15 du/acre	0	0	0	0	5	5	
21	Edgeworth Greenhouse Site (Bhromel)	(No assigned address) (APN 004-346-170)	Residential Retail Commercial (C-R/R)	Residential Retail Commercial (C-R/R)	Greenhouse	Zoned	0.17 ac	15 du/acre	0	0	0	0	3	3	
22	Edgeworth/Washington Greenhouse Site (Baker)	(No assigned address) (APN 004-344-020 and -149)	Residential Retail Commercial (C-R/R)	Residential Retail Commercial (C-R/R)	Greenhouse	Zoned	1.02 ac	15 du/acre	0	0	0	0	15	24	
23	Colony Street/Rio Verde single family (Baker)	55 Colony Street (APN 005-044-240 and -289)	Retail/Office Commercial	Planned Development	Vacant land	Zoned	0.34 ac	23 du/acre	0	0	0	0	8	8	
24	Rio Verde greenhouse (Patt)	(No assigned address) (APN 005-044-240 and -289)	Residential Medium-Low Density	R-1 Single-Family Residential	Vacant land	Zoned	0.40 ac	20 du/acre	0	0	0	0	7	7	
25	Urban Street Greenhouse Site (Prodaja)	640 Urban Street (APN 004-433-029)	Residential Medium-Low Density	R-1 Single-Family Residential	Greenhouse	Zoned	0.40 ac	20 du/acre	0	0	0	0	7	7	
									0	0	0	0	4	4	
									0	0	0	0	4	4	
									16	42	33	81	281	473	
									24	73	49	114	146	485	
									200	188	221	541	1350		
									-140	-45	-184	56	-114	-372	
Remaining Housing Need Before Regional GP Changes = (A) plus (B) minus (C)															
						Supplied BART Park and Ride lot	8.70 ac	30 du/acre	13	39	26	104	78	261	
						Vacant land	12.14 ac	12 du/acre	0	0	0	0	146	134	
						Vacant land	1.15 ac	50 du/acre	1	1	1	3	2	5	
									-144	-25	-80	112	-54	11	
Remaining Housing Need After Regional GP Changes = (A) plus (B) minus (C) plus (D)															
									16	42	33	81	281	473	
									24	73	49	114	146	485	
									200	188	221	541	1350		
									-140	-45	-184	56	-114	-372	
Remaining Housing Need After Regional GP Changes = (A) plus (B) minus (C) plus (D)															
						Retail/Office Commercial	350 Juniper Street (APN 005-131-410 through 416, and 004-132-010 and 028)	8.70 ac	30 du/acre	13	39	26	104	78	261
						Retail/Office Commercial	(No assigned address) (APN 005-095-240)	12.14 ac	12 du/acre	0	0	0	0	146	134
						Residential High Density	(No assigned address) (APN 004-210-028)	1.15 ac	50 du/acre	1	1	1	3	2	5
									-144	-25	-80	112	-54	11	

† Properties within the Commercial Mixed-Use General Plan Land Use designation on Mission Street or Geneva Avenue are not subject to density reduction; project details for the properties reflect recent development trends for proposed and/or completed mixed-use projects within the same zone.

Figure HE-8

HOUSING SITE LOCATION MAP



- Approved
- Residential Required
(greater than 30 du/ac permitted)
- Residential Required
(less than 30 du/ac permitted)
- Zoning/General Plan
Changes Necessary

CITY OF DALY CITY HOUSING ELEMENT 2014-2022

LEGEND

- Boundary for Airport Influence Area B
- Outer Boundary of Safety Zones
- CNEL Contour, 2023 Forecast
- 14 CFR Part 77 Contour Surface
- Outer Boundary of TERPS Approach and ODI Departure Surfaces
- Airport Property
- BART Station
- CALTRAIN Station
- Municipal Boundary
- Railroad
- Freeway
- Road
- Local Park, Golf Course, Cemetery
- Regional Park or Recreation Area
- Open Space

Sources

100.1 FAA Notification Zone: Ricordo & Associates, Inc. and Jacobs Consultancy, based on 14 CFR Part 77, Subpart B, Section 77.3.

Outer Boundary of TERPS Approach and ODI Departure Surfaces: San Francisco International Airport, Jacobs Consultancy and Planning Technology Inc., 2009

Safety Compatibility Zones: Jacobs Consultancy Team, 2009; Ricordo & Associates, Inc., 2011

Noise Contour: URS Corporation and BridgeNet International, Draft Environmental Assessment, San Francisco International Airport Proposed Runway Safety Area Program, June 2011

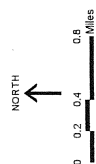
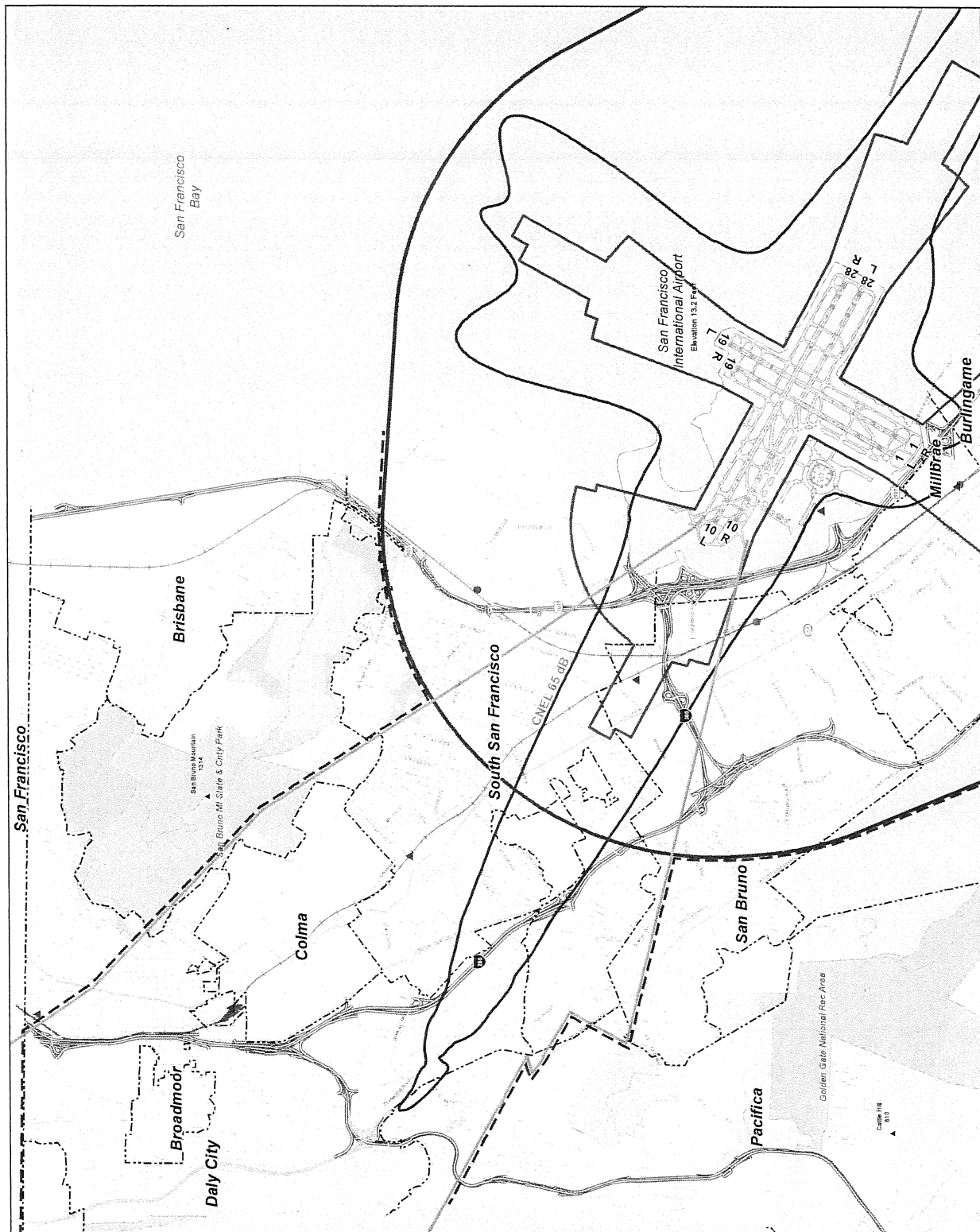
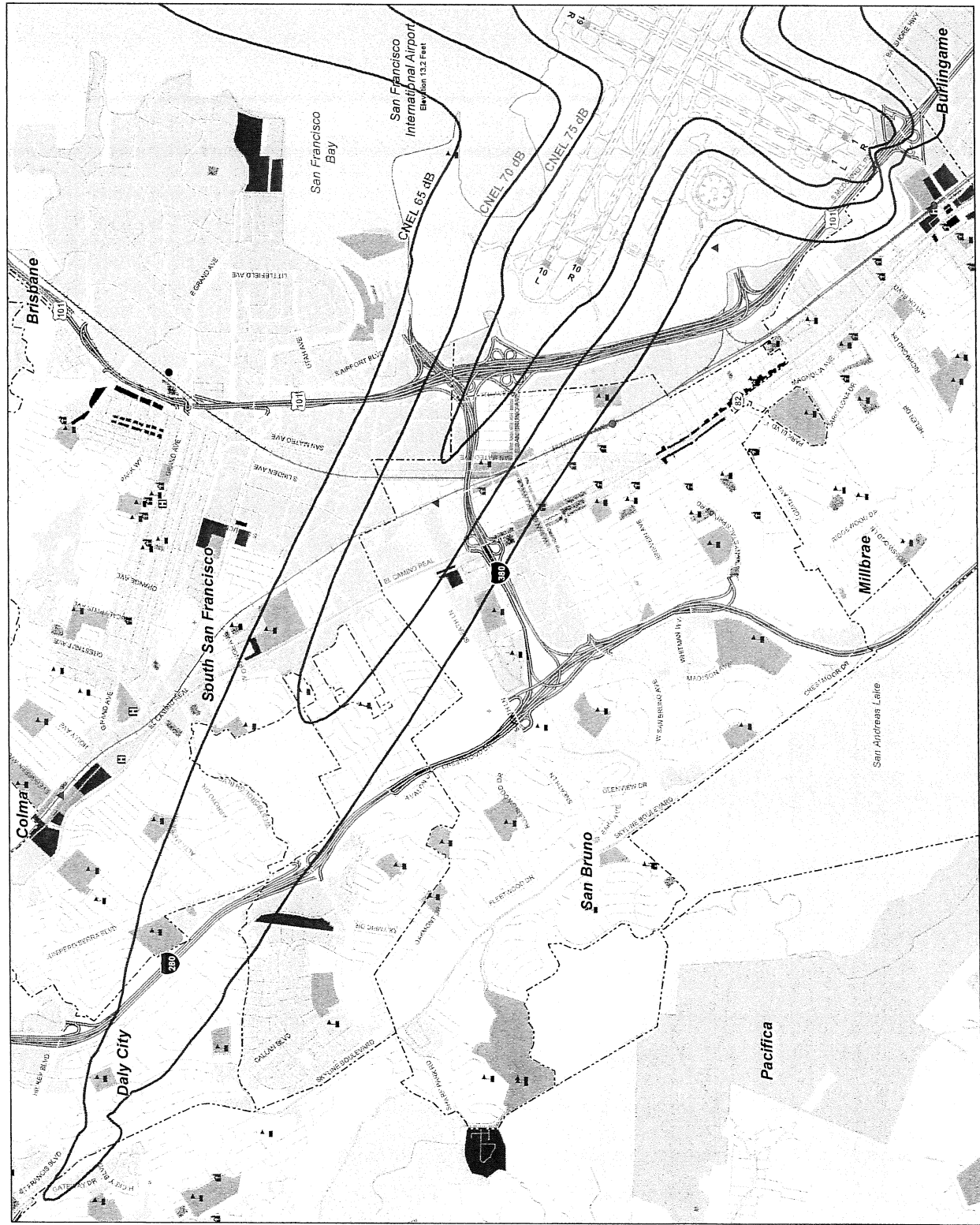


Exhibit IV-3
AIRPORT INFLUENCE AREA B – NORTH SIDE
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California





- LEGEND**
- CNEL Contour, 2020 Forecast
 - ▬ Airport Property
 - BART Station
 - ▲ CALTRAIN Station
 - School
 - ▲ Place of Worship
 - ▬ Hospital
 - ▬ Municipal Boundary
 - ▬ Railroad
 - ▬ Freeway
 - ▬ Road
 - Planned Land Use Per General Plans:
 - Public
 - Multi-Family Residential
 - Single Family Residential
 - Mixed Use
 - Transit Oriented Development
 - Commercial
 - Industrial, Transportation, and Utilities
 - Local Park, Golf Course, Cemetery
 - Regional Park or Recreation Area
 - Open Space
 - Planned use not mapped

Sources:

Noise Contour Data:
 - Great Earth Command Assessment, Proposed Runway Safety Area
 - Pacific Southwest International Airport, URS Corporation and
 - BridgeNet International, June 2011

County Base Maps:

- San Mateo County Planning & Building Department, 2007

Local Plans:

- Burlingame Bayfront Specific Area Plan, August 2006
- Burlingame Downtown Specific Plan, January 2009
- Burlingame General Plan, March 2005
- North Burlingame/Rodriguez Road Specific Plan, February 2007
- Colma Municipal Code Zoning Maps, December 2003
- Daly City General Plan, Land Use Map, 1987
- Hillsborough General Plan, March 2005
- Millbrae Land Use Plan, November 1998
- Pacifica General Plan, August 1996
- San Bruno General Plan, December 2008
- San Bruno City Land Use Plan, March 2007
- San Mateo County Zoning Map, 1992
- South San Francisco General Plan, 1998

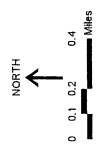
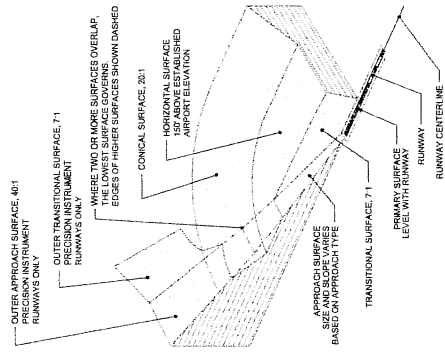


Exhibit IV-6
NOISE COMPATIBILITY ZONES --
DETAIL
 Comprehensive Airport Land Use Plan
 for the Environs of San Francisco International Airport
C/CAG
 City/County Association of Governments
 of San Mateo County, California

LEGEND

- 14 CFR Part 77 Civil Airport Imaginary Surfaces
- 400' MSL- Elevation Contour, feet AMSL
- BART Stations
- CALTRAIN Stations
- Regional Park or Recreation Area
- Municipal Boundary
- Railroads
- Freeways
- Roads

Isometric Drawing of 14 CFR Part 77, Section 77.19 Civil Airport Imaginary Surfaces



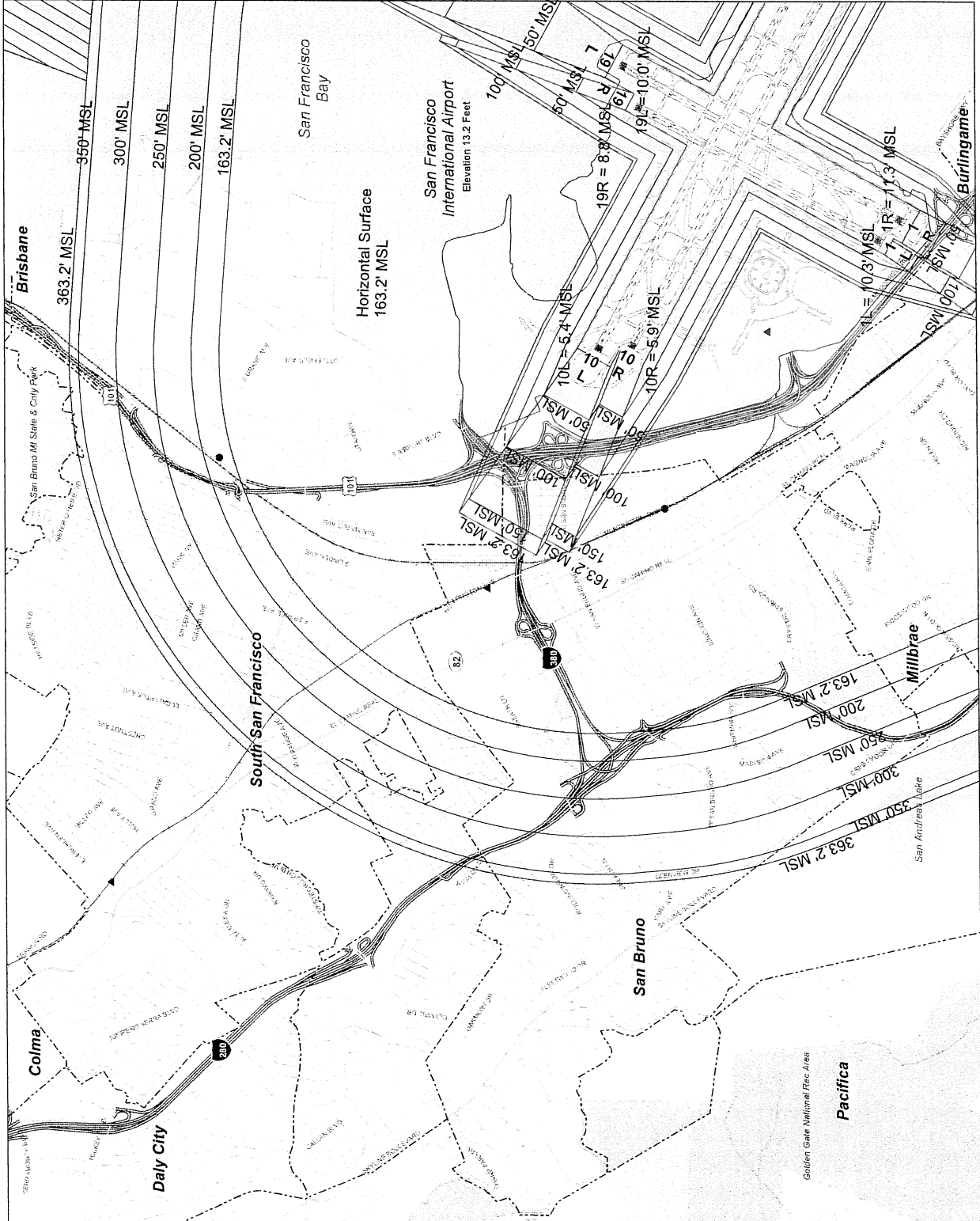
Sources:

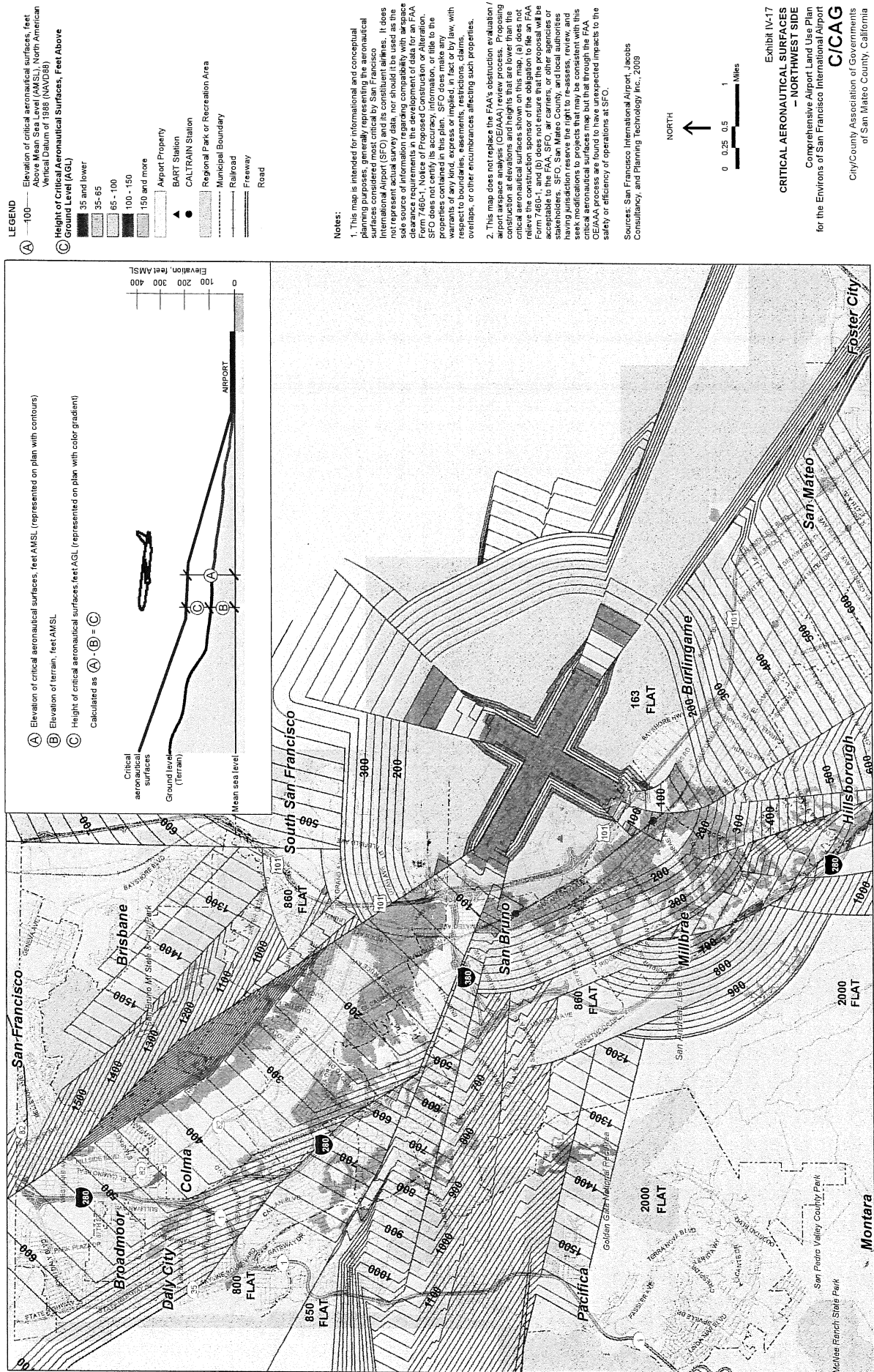
14 CFR Part 77 Surfaces: City and County of San Francisco, Ricordo & Associates, Inc., 2010



0 0.125 0.25 0.5 Miles

Exhibit IV-14
14 CFR PART 77 AIRPORT IMAGINARY SURFACES - NORTH SIDE
Comprehensive Airport Land Use Plan
for the Environs of San Francisco International Airport
C/CAG
City/County Association of Governments
of San Mateo County, California





C/CAG AGENDA REPORT

Date: October 9, 2014
To: C/CAG Board of Directors
From: Sandy Wong, Executive Director
Subject: Review and approval of Resolution 14-49 authorizing the C/CAG Chair to send a letter requesting C/CAG's designation as a Beacon Award: Local Leadership toward Solving Climate Change, Program Champion from the Institute for Local Government
(For further information contact Kim Springer at 599-1412)

ITEM 5.5

RECOMMENDATION

Review and approve Resolution 14-49 authorizing the C/CAG Chair to send a letter requesting C/CAG's designation as a Beacon Award: Local Leadership toward Solving Climate Change, Program Champion from the Institute for Local Government.

FISCAL IMPACT

None

BACKGROUND/DISCUSSION

The San Mateo County Energy Watch (SMCEW), a Local Government Partnership (LGP) between C/CAG and PG&E, has been providing energy efficiency, climate action and other energy efficiency-related strategic support to the cities in San Mateo County since December 2008. During the 2010-2012 program cycle, and the current 2013-2014 program cycle, the C/CAG Regionally Integrated Climate Action Planning Suite (RICAPS) has made great progress helping cities develop climate action plans and complete greenhouse gas emission inventories. A large portion of funding for this work is from PG&E through the SMCEW program.

Staff believes that C/CAG (and the cities in San Mateo County) should be recognized for their climate action planning and implementation efforts. The Institute for Local Government (ILG), in partnership with the investor owned utilities and other partners, has a program called The Beacon Award: Local Leadership toward Solving Climate Change.

Beacon Award for Local Governments

The program recognizes local governments for their climate action efforts, specifically for voluntary efforts to: save energy, conserve resources, promote sustainability and greenhouse gas emissions. The recognition comes in the form of Silver, Gold and Platinum Beacon Awards for implementing sustainability activities, and for achieving measurable energy and greenhouse gas emission reductions.

Beacon Award Program Champion:

The Beacon Award Program was originally designed for local governments, but also recognizes that councils of governments and energy partnerships play a large role in moving initiatives forward regionally. To recognize these regional efforts to support current and/or future Beacon Award participants, the Institute for Local Government established the Beacon Award Program Champion.

As a Beacon Award Program Champion, C/CAG, though staff time under the SMCEW and RICAPS program, will promote the Beacon Award to the cities in San Mateo County, support the adoption of resolutions to participate by the cities, and include connection to Institute for Local Government staff.

SMCEW staff will also coordinate with PG&E, Sustainable San Mateo County and others to help cities document their efforts to achieve awards levels.

Recognition:

C/CAG will be recognized as a Beacon Award Program Champion in a number of ways:

- Use of the Beacon Award Program Champion logo on the C/CAG and or SMCEW website
- Announcements of C/CAG as a Beacon Award Program Champion in various press releases, on the Institute for Local Government Website, and announcements at various annual events

Staff has drafted a letter from the C/CAG chair to Karalee Browne, Program Coordinator at the Institute for Local Government, requesting C/CAG's designation as a Beacon Award Program Champion. A draft letter, along with Resolution 14-49 is attached to this staff report for your review and consideration.

ATTACHMENT

1. Resolution 14-49
2. Draft Letter from C/CAG Chair to Institute for Local Government

RESOLUTION 14-49

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE AUTHORIZING THE C/CAG CHAIR TO SEND A LETTER REQUESTING C/CAG'S DESIGNATION AS A BEACON AWARD: LOCAL LEADERSHIP TOWARD SOLVING CLIMATE CHANGE, PROGRAM CHAMPION FROM THE INSTITUTE FOR LOCAL GOVERNMENT

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, C/CAG is working to reduce energy use and greenhouse gas emission from local government buildings, schools, nonprofits, farms and small and medium businesses countywide through the San Mateo County Energy Watch, Local Government Partnership with PG&E, and

WHEREAS, C/CAG, through it's own funding and that of the Bay Area Air Quality Management District and PG&E, has developed the Regionally Integrated Climate Action Planning Suite, which provides climate action planning tools and technical support to cities in San Mateo County , and

WHEREAS, C/CAG is engaged in multiple resource conservation programs such as congestion management, stormwater, the transit oriented housing incentive program, various transportation demand management programs, and Safe Routes to Schools, which support the reduction of greenhouse gas emissions, and

WHEREAS, the Institute for Local Government established the Beacon Award: Local Leadership Toward Solving Climate Change for local governments, and the Beacon Award Program Champion designation for councils of governments and energy partnerships, recognizing the large role that these organizations play in promoting climate action, and

WHEREAS, the Beacon Award Program Champion designation is an opportunity for C/CAG to be recognized for its efforts to support San Mateo County cities in their resource conservation and greenhouse gas emission reduction efforts,

NOW THEREFORE BE IT RESOLVED, that the C/CAG Chair be authorized to send a letter requesting C/CAG's designation as a Beacon Award: Local Leadership Toward Solving Climate Change, Program Champion from the Institute for Local Government.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF OCTOBER 2014.

Mary Ann Nihart, Chair

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica •
Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

October 9, 2014

Ms. Karalee Browne
Program Coordinator
Institute for Local Government
1400 K Street, Suite 205
Sacramento, CA 95814

Dear Ms. Browne,

The City and County Association of Governments of San Mateo County (C/CAG) is requesting designation as a Beacon Award Champion for San Mateo County.

C/CAG is the Congestion Management Agency in San Mateo County and implements a number of programs related to transportation and climate action to support the efforts of the cities in San Mateo County. One of the main climate action programs is the Regionally Integrated Climate Action Planning Suite (RICAPS), which is a set of tools and technical support to help (especially smaller) cities write and adopt climate action plans. The program has also provided community-scale greenhouse gas emission inventories for all the cities in San Mateo County. Another is the San Mateo County Energy Watch (SMCEW), which recommends comprehensive energy efficiency proposals to a variety of customer segments in San Mateo County, including: local governments, nonprofits, schools, farms, and small and medium businesses. SMCEW is also developing regional energy efficiency campaigns to help cities implement their climate action plan goals.

As a Beacon Award Champion, C/CAG will inform its member agencies of the Beacon Award Program, assist interested members with applications, and support the annual reporting process, leveraging its relationship with PG&E and other local organizations that collect annual sustainability data from the cities.

We appreciate your consideration and look forward to your response to this request. Please contact C/CAG Executive Director, Sandy Wong at slwong@smcgov.org if you have any questions, or to notify C/CAG of your decision.

Best regards,

Mary Ann Nihart
C/CAG Board Chair

C/CAG AGENDA REPORT

Date: October 9, 2014
To: City/County Association of Governments, Board of Directors
From: Sandy Wong, Executive Director
Subject: Receive copies of executed MOUs between C/CAG and Strategic Energy Innovations for two ClimateCorps Bay Area fellows: (1) for Eddie Ashley, in an amount not to exceed \$25,000 and (2) for Jacqueline Falconio, in an amount not to exceed \$24,500

ITEM 5.6.1

For further information contact Kim Springer at (650) 599-1412.

RECOMMENDATION

Receive copies of executed MOUs between C/CAG and Strategic Energy Innovations for two ClimateCorps Bay Area fellows:

- (1) For Eddie Ashley, in an amount not to exceed \$25,000,
- (2) For Jacqueline Falconio, in an amount not to exceed \$24,500.

FISCAL IMPACT

\$25,000 and \$24,500 to be funded by the Local Government Partnership program.

SOURCE OF FUNDS

These two MOUs for services for the SMCEW program is paid for under the C/CAG – PG&E Local Government Partnership (LGP) agreement.

BACKGROUND/DISCUSSION

San Mateo County Energy Watch, a LGP between C/CAG and PG&E, is managed and staffed by the County of San Mateo RecycleWorks.

For the last four year, the County and the SMCEW program has leveraged a program called ClimateCorps Bay Area, contracted through Strategic Energy Innovations, which places fellows into local governments and nonprofits in the Bay Area region. The fellows work on projects related to climate resilience and, in exchange for their work, receive a stipend and considerable training and career development. Every fellow that has taken part in this program (5) have either gone on to graduate school or gainful employment.

The MOUs for fellows Eddie Ashley and Jacqueline Falconio have been executed in accordance with C/CAG procurement policy.

ATTACHMENTS

- C/CAG – Strategic Energy Innovations MOU, Eddie Ashley
- C/CAG – Strategic Energy Innovations MOU, Jacqueline Falconio

**Memorandum of Understanding (MOU) between
Strategic Energy Innovations and The City/County Association of Governments of San
Mateo County (C/CAG)
August 25, 2014 – July31, 2015**

SUBJECT: Climate Corps Bay Area

This MEMORANDUM OF UNDERSTANDING is hereby made and entered into by and between Strategic Energy Innovations, hereinafter referred to as SEI and C/CAG, hereinafter referred to as “Host Agency”. Collectively, SEI and C/CAG are hereinafter referred to as the “Parties.” The individual to whom this MOU applies is Eddie Ashley, hereafter referred to as “Fellow” or broadly as one individual of “Fellows”.

ARTICLE I – BACKGROUND AND OBJECTIVES

SEI is collaborating with public, non-profit, and for-profit organizations in the San Francisco Bay Area to recruit, train, and place Fellows with Host Agencies where they will be provided with experiential learning opportunities as they assist in implementing climate change resiliency programs. The Fellows’ term of service runs from August 25, 2014 through June 30, 2015, when Fellows are expected to complete their program hours commitment. While participating in Climate Corps Bay Area, Fellows will complete 1500 site hours and an additional 170 hours in program training activities. During their term of service, Fellows will implement programs that provide significant professional development experience through the implementation of climate resiliency projects. Fellows will devote approximately 90% of their site hours to experiential learning activities, and up to 10% of these site hours for specific training and coaching as approved by their Host Agency. If a Fellow is unable to complete their full 1500 site hours by June 30, 2015 due to any unforeseen circumstances during their term they may, at the discretion of SEI and the agency, be allowed time to complete their hours at the agency, or at another approved agency where there are service opportunities available.

The mission of Climate Corps Bay Area is to deliver a 10-month Fellowship program that provides professional development opportunities for emerging climate protection leaders through implementation of climate change resiliency projects with local governments, non-profits and for-profit businesses. CCBA Fellows:

- Receive unparalleled experiential learning opportunities through placements with regional climate protection leaders.
- See first hand how to address climate change by implementing assessment, education, and mitigation projects that have measurable benefits.
- Build critical real-world project management skills as they measure, track, and report outcomes to community partners.

Fellows participate in a comprehensive training program that gives an overview of climate change issues, strategies for tackling climate change and approaches to building community resiliency in California.

The Parties will work in partnership to promote the MOU, and its benefits to the Project and community at large.

ARTICLE II – STATEMENT OF PROJECT ACTIVITIES

Through Climate Corps Bay Area, SEI agrees to:

- Recruit and assist in selection of a CCBA Fellow for a commitment of 1500 hours over a period of 10 months.
- Train and support Fellow with a comprehensive training program that includes a training manual, a multi-day orientation led by an array of experts, monthly trainings, a mid-year 2-day retreat, and two Professional Development Assessment reviews.
- Work with the Host Agency to develop a specific Fellowship Scope for specific Host Agency initiatives that aligns with CCBA goals and defines the Training Plan for the Fellow.
- Provide assistance in defining and developing metrics for the Fellow to measure and track the progress of project activities throughout his or her Fellowship.
- Provide monthly follow-ups to review progress with Site Supervisor and Fellows.
- Define and implement any corrections to Fellow's plan determined to be necessary based on feedback collected from Fellow and Host Agency.

Host Agency agrees to:

- Take part in the recruitment and interview process to identify a Fellow best fitted for the specific projects' needs.
- Provide one to three specific climate resiliency initiatives that its Fellow can work on during his or her term of service.
 - Initiatives must be well-defined, approved for implementation and include specific learning objectives.
 - Host Agency will work with SEI to finalize a mutually agreed-upon Fellowship Scope no later than 1 month after the Fellow arrives on site.
- Assign a Site Supervisor who will be available to meet at least weekly with the Fellow for one-on-one project meeting time, coordinate other necessary staff supervision needed for successful implementation of the Fellowship Scope, gather and report on in-kind supervisory hours (at least 15/month) across all relevant staff within the organization with Fellow.
- Support Fellow to complete monthly reporting to SEI indicating whether progress is being made on the initiatives.
- Provide feedback on Program and Fellow effectiveness:
 - Two times a year, fill out and submit a Professional Development Assessment to provide feedback on Fellow activities.
 - Participate in program wide-conference calls to discuss program progress.
 - Respond to Host Agency feedback surveys as requested.
- Attend or send a representative to Partner Orientation.
- Only hire Fellow to work part-time in program or service area unrelated to SEI community service programs; Agency may not hire the Fellow for like projects until and unless Fellow completes his/her entire program year of service.

- Refrain from using the Fellow for displacement of a host agency employee.
- Allow SEI to share results from this program through grant reporting and other means as SEI deems appropriate.
- Provide program-wide support through either
 - Delivery of at least 1 all-day training event for all Fellows or
 - Participation in an advisory committee quarterly for 2 hours.

ARTICLE III – TERM OF AGREEMENT

This MOU will become effective on the date of final signature and shall continue in full force and effect through July 31, 2015, unless earlier terminated. Agency Funds are committed to all Program expenses, including program costs for recruitment and training development prior to the Fellow's start date, Fellow stipends, benefits, training, and ongoing programatic costs, and will be fully committed on May 1, 2015. In the event that this MOU is terminated prior to May 1, 2015, a reimbursement will be issued for unspent Agency funds, based on a 8-month spend down that equates to \$70/day for 243 days between September 2, 2014 – May 1, 2015.

In the event that a Fellow terminates their program participation early, SEI staff will work with the Program Partner to:

1. Recruit for a replacement should the Fellow leave prior to the winter/spring semester registration into Climate Corps courses, or
2. Work with the Program Partner to transition the Fellow's work internally (to other Fellows/ staff) and to reimburse the partner for unexpended funds as detailed in the paragraph above.

ARTICLE IV – KEY OFFICIALS

The individuals listed below are identified as key personnel considered essential to the project being performed under this Memorandum of Understanding:

For SEI

Job Title:	Deputy Director, SEI
Name:	Stephen Miller
Address:	899 Northgate Dr. Suite 410 San Rafael CA 94903
Phone Contact:	415-507-2186
Email Contact:	stephen@seiinc.org

For Host Agency:

Job Title	Resource Conservation Programs Manager
Name	Kim Springer
Address	555 County Center – 5 th Floor, Redwood City, CA 94063
Phone Number	(650) 599-1412
Email Contact	kspringer@smcgov.org

No change in key officials will be made by either SEI or Host Agency without written notification thirty (30) days in advance of the proposed change. The notification will include a justification in sufficient detail to permit evaluation of the impact of such a change on the scope of work.

ARTICLE V –PAYMENT

Host Agency will provide SEI with \$22,000 (\$26,500 if a for-profit business) per Fellow and requests one (1) Fellow(s) for the remaining Program Year for a total payment amount of \$22,000 to support the implementation of the program. Host Agency will provide SEI an additional \$3000 to be awarded to the Fellow upon successful completion of the 1500 Program hours and objectives as an end of program award, for a total Program Year cost of \$25,000. Should the Fellow not successfully complete the program hours and objectives, SEI will refund the additional funds (\$3000) to the Host Agency by June 30, 2015.

Host Agency will complete payments within 30 days of receiving invoices. The invoices will be dispersed according to the following schedule:

- Invoice 1:
 - Due: September 5, 2014
 - Amount: \$12,500
- Invoice 2:
 - Due: January 5, 2015
 - Amount: \$12,500

The Parties agree that if the Partner fails to make any payments 90 days after an invoice is received and marked due, SEI will immediately assess a late payment penalty of 1.5% of the unpaid amount.

Furthermore, an additional amount of \$0 will be charged in the first invoice. If these funds were elected towards an enhanced monthly stipend, then the funds will be paid out to the Fellow twice a month as part of their regular stipend checks. If these funds were elected towards a reimburseable account, then the funds will be available for the Host Agency to use for Host Agency specific costs such as commuting, trainings, and other benefits as seen as necessary. Host Agencies will be able to access funds by completing a Climate Corps Bay Area Expense Report and submitting it to the SEI Program Director. Funds will be able to be dispersed to Fellows, Site Supervisors, and other individuals specifically identified by the Host Agency. SEI requests thirty (30) days notice for distribution of these funds.

ARTICLE VI - TERMS

It is mutually agreed by all Parties to this MOU that:

- In the event that a Party no longer approves implementation of any of the provisions referenced in this MOU, the individual Parties agree to promptly confer to determine

what, if any, modifications to this MOU should be made to address the issue(s) of concern.

- In the event that a Party no longer desires to be a part of this MOU or any modification(s), then the individual Party in their sole discretion may terminate their relationship within this MOU.
- Written notice must be provided by the Party desiring to withdraw from the MOU at least thirty (30) days prior to termination.
- Each Party agrees that it will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party, therefore, agrees that it will assume all risk and liability to itself, its agents or employees, for any injury to persons or property resulting in any manner from the conduct of its own operations, and the operation of its agents or employees under this MOU, for any loss, cost, damage, or expense resulting at any time from any and all causes due to any act or acts, negligence, or the failure to exercise proper precautions, of or by itself or its agents or its own employees, while occupying or visiting the premises under and pursuant to the MOU.

ARTICLE VII – AUTHORIZING SIGNATURES

IN WITNESS HEREOF, the parties hereto have executed this MOU on the date(s) set forth below.

Strategic Energy Innovations

Stephen M. Miller
Stephen Miller, Deputy Director, SEI

9/3/14
Date

City and County Association of Government (C/CAG)

Sandy Wong
Sandy Wong, Executive Director

9-8-14
Date



Thank you for your Partnership with Climate Corps Bay Area

To complete the application process for the 2014-2015 Climate Corps Bay Area Program Year an MOU or Contract with Strategic Energy Innovations must be fully executed. This document will be used to confirm the information you agreed upon in your Application.

Your organization can either:

1. **Use the Climate Corps Bay Area MOU to execute your commitment.** For this option, please continue to update this document.
2. **Incorporate the MOU below into a Host Agency Specific Contract.** If your organization would prefer to incorporate the Climate Corps Bay Area MOU into a more in depth contact, please notify Stephen Miller at stephen@seiinc.org, and he will assist you through that process.

Climate Corps Bay Area Staff are available to assist you in every step of this iterative process. We are happy to help you decide if a Contract or MOU best fits your organization's needs, as well as provide sample Contracts from previous service years. Program Partners may choose to set aside additional funding, up to \$5,000, to use to provide additional benefit to their Fellow(s). These additional funds could take 1 of 2 forms: 1) an enhanced monthly stipend (suggested at \$100 - \$500/ month,) or 2) a reimbursable account (e.g. for commuter subsidies, professional development opportunities, etc.) If you are interested in this option, Climate Corps Bay Area Staff should be notified to ensure the set amount is included in your MOU/Contract.

**Memorandum of Understanding (MOU) between
Strategic Energy Innovations and The City/County Association of Governments of San
Mateo County (C/CAG)
August 25, 2014 – July31, 2015**

SUBJECT: Climate Corps Bay Area

This MEMORANDUM OF UNDERSTANDING is hereby made and entered into by and between Strategic Energy Innovations, hereinafter referred to as SEI and C/CAG, hereinafter referred to as “Host Agency”. Collectively, SEI and C/CAG are hereinafter referred to as the “Parties.” The individual to whom this MOU applies is Jacqueline Falconio, hereafter referred to as “Fellow” or broadly as one individual of “Fellows”.

ARTICLE I – BACKGROUND AND OBJECTIVES

SEI is collaborating with public, non-profit, and for-profit organizations in the San Francisco Bay Area to recruit, train, and place Fellows with Host Agencies where they will be provided with experiential learning opportunities as they assist in implementing climate change resiliency programs. The Fellows’ term of service runs from September 16, 2014 through June 30, 2015, when Fellows are expected to complete their program hours commitment. While participating in Climate Corps Bay Area, Fellows will complete 1420 site hours and an additional 130 hours in program training activities. During their term of service, Fellows will implement programs that provide significant professional development experience through the implementation of climate resiliency projects. Fellows will devote approximately 90% of their site hours to experiential learning activities, and up to 10% of these site hours for specific training and coaching as approved by their Host Agency. If a Fellow is unable to complete their full site hours by June 30, 2015 due to any unforeseen circumstances during their term they may, at the discretion of SEI and the agency, be allowed time to complete their hours at the agency, or at another approved agency where there are service opportunities available.

The mission of Climate Corps Bay Area is to deliver a 10-month Fellowship program that provides professional development opportunities for emerging climate protection leaders through implementation of climate change resiliency projects with local governments, non-profits and for-profit businesses. CCBA Fellows:

- Receive unparalleled experiential learning opportunities through placements with regional climate protection leaders.
- See first hand how to address climate change by implementing assessment, education, and mitigation projects that have measurable benefits.
- Build critical real-world project management skills as they measure, track, and report outcomes to community partners.

Fellows participate in a comprehensive training program that gives an overview of climate change issues, strategies for tackling climate change and approaches to building community resiliency in California.

The Parties will work in partnership to promote the MOU, and its benefits to the Project and community at large.

ARTICLE II – STATEMENT OF PROJECT ACTIVITIES

Through Climate Corps Bay Area, SEI agrees to:

- Recruit and assist in selection of a CCBA Fellow for a commitment of 1420 hours over a period of 10 months.
- Train and support Fellow with a comprehensive training program that includes a training manual, a multi-day orientation led by an array of experts, monthly trainings, a mid-year 2-day retreat, and two Professional Development Assessment reviews.
- Work with the Host Agency to develop a specific Fellowship Scope for specific Host Agency initiatives that aligns with CCBA goals and defines the Training Plan for the Fellow.
- Provide assistance in defining and developing metrics for the Fellow to measure and track the progress of project activities throughout his or her Fellowship.
- Provide monthly follow-ups to review progress with Site Supervisor and Fellows.
- Define and implement any corrections to Fellow's plan determined to be necessary based on feedback collected from Fellow and Host Agency.

Host Agency agrees to:

- Take part in the recruitment and interview process to identify a Fellow best fitted for the specific projects' needs.
- Provide one to three specific climate resiliency initiatives that its Fellow can work on during his or her term of service.
 - Initiatives must be well-defined, approved for implementation and include specific learning objectives.
 - Host Agency will work with SEI to finalize a mutually agreed-upon Fellowship Scope no later than 1 month after the Fellow arrives on site.
- Assign a Site Supervisor who will be available to meet at least weekly with the Fellow for one-on-one project meeting time, coordinate other necessary staff supervision needed for successful implementation of the Fellowship Scope, gather and report on in-kind supervisory hours (at least 15/month) across all relevant staff within the organization with Fellow.
- Support Fellow to complete monthly reporting to SEI indicating whether progress is being made on the initiatives.
- Provide feedback on Program and Fellow effectiveness:
 - Two times a year, fill out and submit a Professional Development Assessment to provide feedback on Fellow activities.
 - Participate in program wide-conference calls to discuss program progress.
 - Respond to Host Agency feedback surveys as requested.
- Attend or send a representative to Partner Orientation.
- Only hire Fellow to work part-time in program or service area unrelated to SEI community service programs; Agency may not hire the Fellow for like projects until and unless Fellow completes his/her entire program year of service.

- Refrain from using the Fellow for displacement of a host agency employee.
- Allow SEI to share results from this program through grant reporting and other means as SEI deems appropriate.
- Provide program-wide support through either
 - Delivery of at least 1 all-day training event for all Fellows or
 - Participation in an advisory committee quarterly for 2 hours.

ARTICLE III – TERM OF AGREEMENT

This MOU will become effective on the date of final signature and shall continue in full force and effect through July 31, 2015, unless earlier terminated. Agency Funds are committed to all Program expenses, including program costs for recruitment and training development prior to the Fellow's start date, Fellow stipends, benefits, training, and ongoing programatic costs, and will be fully committed on May 1, 2015. In the event that this MOU is terminated prior to May 1, 2015, a reimbursement will be issued for unspent Agency funds, based on a 8-month spend down that equates to \$70/day for 243 days between September 2, 2014 – May 1, 2015.

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ARTICLE IV – KEY OFFICIALS

The individuals listed below are identified as key personnel considered essential to the project being performed under this Memorandum of Understanding:

For SEI

Job Title:	Deputy Director, SEI
Name:	Stephen Miller
Address:	899 Northgate Dr. Suite 410 San Rafael CA 94903
Phone Contact:	415-507-2186
Email Contact:	stephen@seiinc.org

For Host Agency:

Job Title	Resource Conservation Programs Manager
Name	Kim Springer
Address	555 County Center – 5 th Floor, Redwood City, CA 94063
Phone Number	(650) 599-1412
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No change in key officials will be made by either SEI or Host Agency without written notification thirty (30) days in advance of the proposed change. The notification will include a justification in sufficient detail to permit evaluation of the impact of such a change on the scope of work.

ARTICLE V –PAYMENT

Host Agency will provide SEI with \$22,000 (\$26,500 if a for-profit business) per Fellow and requests one (1) Fellow(s) for the remaining Program Year for a total payment amount of \$22,000 (less \$500 for avoided stipend payment for early September) to support the implementation of the program. Host Agency will provide SEI an additional \$3000 to be awarded to the Fellow upon successful completion of the 1420 Program hours and objectives as an end of program award, for a total Program Year cost of \$25,000. Should the Fellow not successfully complete the program hours and objectives, SEI will refund the additional funds (\$3000) to the Host Agency by June 30, 2015.

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 - Due: January 5, 2015
 - Amount: \$12,500

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what, if any, modifications to this MOU should be made to address the issue(s) of concern.

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- Written notice must be provided by the Party desiring to withdraw from the MOU at least thirty (30) days prior to termination.
- Each Party agrees that it will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party, therefore, agrees that it will assume all risk and liability to itself, its agents or employees, for any injury to persons or property resulting in any manner from the conduct of its own operations, and the operation of its agents or employees under this MOU, for any loss, cost, damage, or expense resulting at any time from any and all causes due to any act or acts, negligence, or the failure to exercise proper precautions, of or by itself or its agents or its own employees, while occupying or visiting the premises under and pursuant to the MOU.

ARTICLE VII – AUTHORIZING SIGNATURES

IN WITNESS HEREOF, the parties hereto have executed this MOU on the date(s) set forth below.

Strategic Energy Innovations

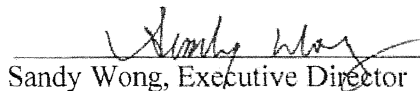


9/15/14

Stephen Miller, Deputy Director, SEI

Date

City and County Association of Government (C/CAG)



Sandy Wong, Executive Director

9-17-14

Date

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.6.2

From: Sandy Wong, Executive Director

Subject: Receive a copy of executed Contract Change Order No.1 to San Mateo County Energy Watch, Contract Work Authorization between C/CAG and Pacific Gas and Electric Company adding \$55,826 for a total contract amount not to exceed \$895,826

(For further information contact Kim Springer at 599-1412)

RECOMMENDATION

Receive a copy of executed Contract Change Order No.1 to San Mateo County Energy Watch, Contract Work Authorization between C/CAG and Pacific Gas and Electric Company (PG&E) adding \$55,826 for a total contract amount not to exceed \$895,826.

FISCAL IMPACT

Contract Change Order No. 1 enables C/CAG to receive an additional \$55,826 from PG&E.

BACKGROUND/DISCUSSION

The San Mateo County Energy Watch (SMCEW) is a Local Government Partnership (LGP) between C/CAG and PG&E. The SMCEW program coordinates and implements energy-saving actions in San Mateo County, mainly for government facilities, nonprofits and middle-income residents, but now also includes farms and schools, which were added at the beginning of the current 2013-14 program cycle.

On December 13, 2012, the C/CAG Board adopted Resolution No. 12-68, authorizing the C/CAG Chair to execute a local government partnership grant funding agreement with PG&E for the San Mateo County Energy Watch in 2013-2014 for an amount not to exceed \$840,000.

To further the SMCEW's effort to provide Proposition 39 coordination support to K-12 public schools, staff negotiated with PG&E to add funding in the remaining 2013-2014 (calendar year) program cycle. The contract change order, provided as an attachment to this staff report, adds \$55,826 to the existing contract work authorization.

ATTACHMENT

C/CAG – PG&E LGP Contract Work Authorization, Change Order No.1



Contract Work Authorization (CWA) Change Order

This is **Change Order ("CO")** No. 1 to Contract Work Authorization No. 2500758821 dated 01/16/2013 issued under and pursuant to the Blanket Agreement or Master Service Agreement No. 4400004093 dated 12/23/2009 (the "**MSA**") between the below-named Contractor ("**Contractor**"), a Local Government Partner, and Pacific Gas and Electric Company ("**PG&E**"), a California corporation with its headquarters located at 77 Beale Street, San Francisco, California 94105. Contractor shall perform all Work under this CWA, as amended by this Change Order, pursuant to and in accordance with the terms and conditions of the MSA.

Contractor's Legal Name: City/County Association of Governments

This Change Order consists of 3 pages and all Attachments Indicated herein.

Contractor's Address: 555 County Center, 5th Floor

Redwood City, CA 94063

Project Name: San Mateo County Energy Watch (SMCEW)

Job Location: Various Standard PG&E Service Locations

CHANGES: The Parties hereby modify the Contract Work Authorization referenced above as follows:

The following changes are hereby authorized subject to the terms and conditions contained in the Contract referred to above, and as fully described in Attachment 1 of this Change Order.

The purpose of this Change Order Number 1 is to:

1. Revise the CWA value from \$840,000.00 to \$895,826.00;
2. Replace Section 4A.1 - "**Program Budget**" of the original CWA in its entirety as fully described in Attachment 1 of this Change Order.

This Change Order represents full and final consideration for the changes described herein, including but not limited to all adjustments to price, schedule, guaranteed dates, and performance criteria.

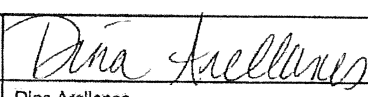
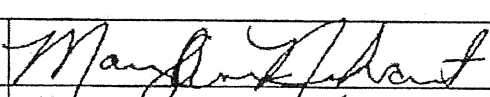
ATTACHMENTS: The following are attached to this CWA Change Order and Incorporated herein by this reference.

Attachment No. 1 "**Revised Statement of Work**" - 1 Page

PRICING CHANGES:	Previous Total CWA Value:	\$840,000.00
	Addition or Deduction:	\$55,826.00
	Revised Total CWA Value:	\$895,826.00

All other terms and conditions of the CWA, as it may have been amended by previous CWA Change Order(s), if any, shall remain the same.

THE PARTIES, BY SIGNATURE OF THEIR AUTHORIZED REPRESENTATIVES, HEREBY AGREE TO THE TERMS OF THIS CWA CHANGE ORDER.

PACIFIC GAS AND ELECTRIC COMPANY		CONTRACTOR: City/County Association of Governments	
Signature		Signature	
Name	Dina Arellanes	Name	Mary Ann Nihart
Title	Manager, Portfolio Sourcing	Title	Board Chair, City/ County Association of Governments
Date	9/22/2014	Date	9/16/14



Contract Work Authorization No. 2500758821
CWA Change Order No. 1
Page 2 of 3

ADMINISTRATION			
PG&E Negotiator	Tony Abdulla	Contractor Representative	Kim Springer
Phone	415-973-6837	Phone	650-599-1412
Email:	Tca2@pge.com	Email:	kspringer@smcgov.org
Accounting Reference			

INTERNAL PG&E USE ONLY		
Distribution Date		
Distribution of Copies:	<input type="checkbox"/> Document Services (Signed Original Copy) Mail Code NSD 245 MARKET ST., SAN FRANCISCO	<input type="checkbox"/> Contractor (Signed Original Copy)
	<input type="checkbox"/> Work Supervisor	<input type="checkbox"/> Manager
	<input type="checkbox"/> Invoice Approver	<input type="checkbox"/> Supervisor
	<input type="checkbox"/> V.P.	<input type="checkbox"/> Sourcing/ Purchasing
	<input type="checkbox"/> Director	<input type="checkbox"/> Law

Attachment 1 "Revised Statement of Work"

San Mateo County Energy Watch

This Change Order No. 1 makes the following changes to CWA No., 2500758821:

- 1) Replace Section 4A.1.1 of the original CWA in its entirety with the following:

4A.1.1 The aggregate total of PG&E payments for all Work authorized and satisfactorily completed under this Contract, as approved by PG&E (the "Contract Budget"), shall not exceed \$895,826. The total payments shall not exceed the following amounts for each payment type without prior written approval from the PG&E Program Manager:

Administration:	\$53,749
Marketing:	\$89,582
Direct Implementation (resource activities; non-incentive):	\$392,495
Direct Implementation (Strategic Energy Resources):	<u>\$360,000</u>
Total Time and Materials Payments:	<u>\$895,826</u>
Total Contract Budget:	<u>\$895,826</u>

Contractor understands, acknowledges and agrees that the 2013-2014 Program cycle is two (2) years, and the Program budget is the maximum amount of funding allocated to Contractor for this Program. If Contractor depletes funding prior to the end of the Program cycle, Contractor must shut down the Program for the remainder of the 2013-2014 Program cycle.

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.7

From: Sandy Wong, Executive Director

Subject: Review and approval of the 4th Cycle Lifeline Transportation Program Call for Projects conditioned on the Metropolitan Transportation Commission's adoption of their Program Guidelines.

(For further information or response to questions, contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG Board of Directors review and approve of the 4th Cycle Lifeline Transportation Program Call for Projects conditioned on the Metropolitan Transportation Commission's adoption of their Program Guidelines.

FISCAL IMPACT

This program will have approximately \$4.6 million available for San Mateo County starting in fiscal year 2013/14 through fiscal year 2015/16. Unused funds will be returned to the program for use in a later cycle.

SOURCE OF FUNDS

The State and Federal funding sources include approximately \$2.5 mil in State Transit Assistance (STA), approximately \$715,000 in Job Access Reverse Commute (JARC) 5307, and approximately \$1.4 mil Proposition 1B funds.

BACKGROUND

The Lifeline Transportation Program is a Metropolitan Transportation Commission (MTC) program that C/CAG will administer for San Mateo County. The purpose of the program is to fund projects, identified through the community-based transportation planning (CBTP) process, which improves the mobility of low-income residents.

MTC is currently developing the 4th cycle guidelines, schedule, and universal application template. The attached draft guidelines and schedule are subject to change. The current proposed schedule is very aggressive. To save time, staff is asking that the C/CAG board approve of staff issuing a call for projects, upon MTC's adoption of their final guidelines, as long as no major changes to the guidelines are made.

In order to meet the proposed schedule, attached in draft guidelines, staff anticipates that a call will need to be issued in late October, shortly after MTC has finalized and approved the documents mentioned above. Information will be made available on the C/CAG website.

The anticipated due date for applications will be early December 2014. Government and transportation agencies are encouraged to apply. Per MTC guidelines, Proposition 1B funds will be issued directly to transit agencies. JARC 5703 funds will be open to competition only to transit agencies, due to the rigorous reporting requirements. STA funds are open to agencies and non-profits for competition however, funds can only be received by recognized transit agencies; therefore non-transit agencies must enter into a pass through agreement with a transit agency.

The proposed guides for minimums and maximums for the STA funds are as follows:

- \$50,000 minimum for procurement only projects
- \$100,000 to \$500,000 for educational/ outreach/ local shuttle operation projects
- \$100,000 to \$1,000,000 for capital projects and fixed transit route services.

In mid-December, staff plans to convene a selection panel. It is anticipated that the panel composition will be a combination of MTC staff, MTC Policy Advisory Council (PAC) members, Cities/ County staff, Transit Authority staff, Social Services staff, and/ or C/CAG staff, in accordance with MTC guidelines.

It is anticipated that a list of selected projects can be presented to the C/CAG committees in January/ February, approved by the C/CAG Board, and sent to MTC by the March 13, 2015 deadline. The MTC Commission is scheduled to adopt the listing of projects at the end of April. After April, pass through agreements can be developed and executed between the transit agencies and project sponsors.

Projects must target and serve low-income communities in San Mateo County. Additionally, projects must have measurable deliverables and the project sponsor must possess the ability to effectively reach the low-income communities in need. Projects identified in San Mateo Community Based Transportation Plans (CBTPs) will be more competitive.

ATTACHMENTS

1. MTC's Draft Lifeline Transportation Program Cycle 4 Guidelines

Date: October 22, 2014
W.I.: 1310
Referred by: PAC

Attachment A
MTC Resolution No. ~~XXXX~~4159
Page 1 of ~~19~~19



METROPOLITAN
TRANSPORTATION
COMMISSION

Lifeline Transportation Program Cycle 4 Guidelines

~~August~~ September 17, 2014 Draft

**METROPOLITAN TRANSPORTATION COMMISSION
LIFELINE TRANSPORTATION PROGRAM CYCLE 4 GUIDELINES
FY 2014 THROUGH FY 2016**

August ~~September~~ 17, 2014 Draft

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Appendix 1. Funding Source Information

Appendix 2. Standard Evaluation Criteria

**METROPOLITAN TRANSPORTATION COMMISSION
LIFELINE TRANSPORTATION PROGRAM CYCLE 4 GUIDELINES
FY 2014 THROUGH FY 2016**

August ~~September~~ 17, 2014 Draft

1. PROGRAM GOAL. The Lifeline Transportation Program is intended to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties.

The Lifeline Program supports community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders such as public agencies, transit operators, community-based organizations and other community stakeholders, and outreach to underrepresented stakeholders.
- Improve a range of transportation choices by adding a variety of new or expanded services including but not limited to: enhanced fixed route transit services, shuttles, taxi voucher programs, improved access to autos, and capital improvement projects.
- Address transportation gaps and/or barriers identified in Community-Based Transportation Plans (CBTP) or other substantive local planning efforts involving focused outreach to low-income populations. While preference will be given to community-based plan priorities, strategies emerging from countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan or other documented assessment of need within the designated communities of concern will also be considered. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable. A communities of concern (CoC) mapping tool showing both CoCs adopted with Plan Bay Area as well as the most recent socioeconomic data available from the Census Bureau is available at:
http://gis.mtc.ca.gov/samples/Interactive_Maps/cocs.html.¹

¹ There is a user's guide available to aid in the use of this tool.

2. PROGRAM ADMINISTRATION. The Lifeline Program will be administered by county congestion management agencies (CMAs) or other designated county-wide agencies as follows:

County	Lifeline Program Administrator
Alameda	Alameda County Transportation Commission
Contra Costa	Contra Costa Transportation Authority
Marin	Transportation Authority of Marin
Napa	Napa County Transportation Planning Agency
San Francisco	San Francisco County Transportation Authority
San Mateo	City/County Association of Governments
Santa Clara	Santa Clara Valley Transportation Authority and Santa Clara County
Solano	Solano Transportation Authority
Sonoma	Sonoma County Transportation Authority

3. FUNDING APPORTIONMENT AND AVAILABILITY. Fund sources for the Cycle 4 Lifeline Transportation Program include State Transit Assistance (STA), Proposition 1B - Transit, and Section 5307 Job Access and Reverse Commute (JARC)² funds. Cycle 4 will cover a three-year programming cycle, FY2013-14 to FY2015-16.

- a. STA and Section 5307 (JARC). Funding for STA and Section 5307 (JARC) will be assigned to counties by each fund source, based on the county's share of the regional low-income population (see Figure 1).³ Lifeline Program Administrators will assign funds to eligible projects in their counties. See Section 5 for details about the STA and Section 5307 (JARC) programming process and Appendix 1 for detailed eligibility requirements by fund source.

² The Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation authorizing legislation eliminated the Job Access and Reverse Commute (JARC) program (Section 5316) and combined JARC functions and funding with the Urbanized Area Formula (Section 5307) and the Non-urbanized Area Formula (Section 5311) programs. JARC projects were made eligible for 5307 funding, and, consistent with MTC's Transit Capital Priorities (TCP) Process and Criteria (MTC Resolution Nos. 4072 and 4140), in the FY2013-14, FY2014-15 and FY2015-16 Section 5307 programs, a portion of the Bay Area's large urbanized area funds have been set aside for the Lifeline program.

³ FTA Section 5307 funds are apportioned by urbanized area (UA), so the distribution of 5307 funds will also need to take UA boundaries into consideration.

Figure 1. County and Share of Regional Poverty Population

<i>County</i>	<i>Share of Regional Low Income (<200% Poverty) Population</i>
Alameda	22.6%
Contra Costa	14.3%
Marin	2.6%
Napa	2.0%
San Francisco	12.5%
San Mateo	8.4%
Santa Clara	23.1%
Solano	6.4%
Sonoma	7.9%
Total	100%

Source: ACS 2010 and 2012 1-Year Estimates

- b. Proposition 1B. Proposition 1B funding will be assigned by MTC directly to transit operators and counties based on a formula that distributes half of the funds according to the transit operators' share of the regional low-income ridership, and half of the funds according to the transit operators' share of the regional low-income population. The formula distribution is shown in Figure 2. See Section 6 for details about the Proposition 1B programming process and Appendix 1 for detailed eligibility requirements by fund source.

**Figure 2. Transit Operator & Hybrid Formula
(Share of Regional Low Income Ridership & Share of Regional Low Income Population)**

<i>Transit Operator</i>	<i>Hybrid Formula Share</i>
AC Transit	17.3%
BART	18.5%
County Connection (CCCTA)	1.0%
Golden Gate Transit/Marin Transit	3.2%
Wheels (LAVTA)	0.5%
Muni (SFMTA)	24.9%
SamTrans	5.0%
Tri Delta Transit (ECCTA)	0.7%
VINE (NCTPA)	1.2%
VTA	19.5%
WestCat (WCCTA)	0.3%
Solano County Operators	3.6%
Sonoma County Operators	4.2%
Total	100%

Note: Only transit operators who have previously received Proposition 1B Lifeline funds are included in the formula distribution

- c. Regional Means-Based Transit Fare Program. MTC will set aside up to \$700,000 in Cycle 4 STA funds toward the potential development and implementation of a regional

means-based transit fare program. In Lifeline Cycle 3, MTC set aside \$300,000 for Phase I of this project. In Phase I, MTC is conducting a study to develop the regional concept, including identifying who would be eligible, costs, funding, relationship to other discounts, and other policy elements. Depending on the results of the Phase I study, funds from the Cycle 4 \$700,000 set-aside may be used for Phase II implementation activities.

4. ELIGIBLE RECIPIENTS/SUBRECIPIENTS

- a. STA. There are three categories of eligible recipients of STA funds: a) transit operators; b) Consolidated Transportation Service Agencies (CTSAs); and c) Cities and Counties that are eligible to claim Transportation Development Act (TDA) funds.

Non-profit organizations and Cities/Counties that are not TDA claimants are only eligible for STA funds if they partner with an eligible STA recipient (e.g., a transit operator) that is willing to serve as the recipient of the funds and pass through the funds to the non-profit or City/County, and if they have a project eligible to use.

- b. Section 5307 (JARC). Transit operators that are FTA grantees are the only eligible recipients of Section 5307 (JARC) funds.

Non-profit organizations and public agencies that are not FTA grantees are only eligible for Section 5307 (JARC) funds if they partner with an FTA grantee (transit operator) that is willing to serve as the direct recipient of the Section 5307 (JARC) funds and pass through the funds to the subrecipient non-profit or public agency.

Section 5307 (JARC) recipients/subrecipients will be required to have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number and provide it during the application process.⁴ A DUNS number may be obtained from D&B by telephone (866-705-5711) or the Internet (<http://fedgov.dnb.com/webform>).

- c. Proposition 1B. Transit operators are the only eligible recipients of Proposition 1B funds.

5. STA AND SECTION 5307 PROGRAMMING PROCESS. For STA and Section 5307 funds, Lifeline Program Administrators are responsible for soliciting applications for the Lifeline Transportation Program.

Consistent with MTC's Public Participation Plan and FTA's Title VI Circular (FTA C 4702.1B), MTC encourages Lifeline Program Administrators to conduct a broad, inclusive public involvement process, and use multiple methods of public outreach. Unlike previous cycles of the Lifeline Transportation Program, the funds in the Cycle 4 program are predominantly restricted to transit operators (see Section 4 for recipient eligibility

⁴ A Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is a unique, non-indicative 9-digit identifier issued and maintained by D&B that verifies the existence of a business entity. The DUNS number is a universal identifier required for Federal financial assistance applicants, as well as recipients and their direct subrecipients.

restrictions). Therefore, MTC also acknowledges that each Lifeline Program Administrator's public outreach strategy will be tailored accordingly.

Methods of public outreach may include, but are not limited to, highlighting the program and application solicitation on the CMA website, and sending targeted postcards and e-mails to all prospective applicants, including those that serve predominantly minority and low-income populations.

Further guidance for public involvement is contained in MTC's Public Participation Plan.

- a. Competitive Process. STA and Section 5307 (JARC) projects must be selected through an open, competitive process with the following exception: In an effort to address the sustainability of fixed-route transit operations, Lifeline Program Administrators may elect to allocate some or all of their STA and/or Section 5307 (JARC) funds directly to transit operators for Lifeline transit operations within the county. Projects must be identified as Lifeline projects before transit operators can claim funds, and will be subject to Lifeline Transportation Program reporting requirements.
 - b. STA Contingency Programming. Due to the uncertainty of forecasting STA revenues, the Lifeline Program Administrators will program 95 percent of their county's estimated STA amount, and develop a contingency plan for the remaining five percent should it be available.
6. PROPOSITION 1B PROGRAMMING PROCESS. In most cases, Proposition 1B Transit funds will be allocated directly to transit operators by MTC, due to the limited eligibility and uses of this fund source. Upon concurrence from the applicable CMA,⁵ transit operators may program funds to any capital project that is consistent with the Lifeline Transportation Program and goals, and is eligible for this fund source. Transit operators are encouraged to consider needs throughout their service area. Projects must be identified as Lifeline projects before transit operators can claim funds, and, at the discretion of the Lifeline Program Administrators, may be subject to Lifeline Transportation Program reporting requirements. For Marin, Solano and Sonoma counties, Proposition 1B funds are being directed to the CMA, who should include these funds in the overall Lifeline programming effort (keeping in mind the limited sponsor and project eligibility of Proposition 1B funds).
7. ELIGIBLE ACTIVITIES
- a. Eligible operating projects. Eligible operating projects, consistent with requirements of funding sources, may include (but are not limited to) new or enhanced fixed route transit services, restoration of Lifeline-related transit services eliminated due to budget shortfalls, shuttles, taxi voucher programs, auto loan programs, etc. See Appendix 1 for additional details about eligibility by funding source.

⁵ CMA concurrence may be provided via a board resolution or a letter from an authorized representative.

- b. Eligible capital projects. Eligible capital projects, consistent with requirements of funding sources, may include (but are not limited to) purchase of vehicles; bus stop enhancements; rehabilitation, safety or modernization improvements; or other enhancements to improve transportation access for residents of low-income communities. See Appendix 1 for additional details about eligibility by funding source.

- c. Section 5307 restrictions

- (1) Job Access and Reverse Commute requirement. For the Lifeline Transportation Program, the use of Section 5307 funds is restricted solely to Job Access and Reverse Commute (JARC) projects. For details regarding eligible JARC projects, sSee the FTA Section 5307 Circular (FTA C 9030.1E), Chapter IV, Section 5 for details regarding eligible JARC projectsavailable at http://www.fta.dot.gov/documents/FINAL_FTA_circular9030.1E.pdf. Also see Appendix 1 for detailed eligibility requirements by fund source

- (2) New and existing services. Consistent with FTA’s Section 5307 circular (FTA C 9030.1E), Chapter IV, Section 5.a, eligible job access and reverse commute projects must provide for the development or maintenance of eligible job access and reverse commute services. Recipients may not reclassify existing public transportation services that have not received funding under the former Section 5316 program as job access and reverse commute services in order to qualify for operating assistance. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as either a “development project” or “maintenance project” as follows:

- i. Development Projects. “Development of transportation services” means new projects that meet the statutory definition and were not in service as of the date MAP-21 became effective October 1, 2012. This includes projects that expand the service area or hours of operation for an existing service.
 - ii. Maintenance Projects. “Maintenance of transportation services” means projects that continue and maintain job access and reverse commute projects and services that received funding under the former Section 5316 [Job Access and Reverse Commute] program.

- 8. LOCAL MATCHING REQUIREMENTS. The Lifeline Transportation Program requires a minimum local match of 20% of the total project cost. Lifeline Transportation Program funds may cover a maximum of 80% of the total project cost.

- a. Exceptions to 20% requirement. There are two exceptions to the 20% local match requirement:

(1) FTA Section 5307 (JARC) operating projects require a 50% match. However, consistent with MTC's approach in previous funding cycles, Lifeline Program Administrators may use STA funds to cover the 30% difference for projects that are eligible for *both* JARC and STA funds.

(2) All auto-related projects require a 50% match.

- b. Sources of local match. Project sponsors may use certain federal, state or local funding sources (Transportation Development Act, operator controlled State Transit Assistance, local sales tax revenue, etc.) to meet the match requirement. In-kind contributions such as the market value of in-kind contributions integral to the project may be counted as a contribution toward local share.

For Section 5307 JARC projects, the local match can be *non*-Department of Transportation (DOT) federal funds. Eligible sources of non-DOT federal funds include: Temporary Assistance to Needy Families (TANF), Community Services Block Grants (CSBG) and Social Services Block Grants (SSBG) administered by the US Department of Health and Human Services or Community Development Block grants (CDBG) and HOPE VI grants administered by the US Department of Housing and Urban Development (HUD). Grant funds from private foundations may also be used to meet the match requirement.

Transportation Development Credits ("Toll Credits") are not an eligible source of local match for the Lifeline Transportation Program.

9. COORDINATED PLANNING. Under MAP-21, projects funded with Section 5307 JARC funds are no longer required by FTA to be derived from a locally developed, coordinated public transit-human services transportation plan ("Coordinated Plan"); however, in the Bay Area's Coordinated Plan, MTC continues to identify the transportation needs of individuals with disabilities, older adults, *and* people with low incomes, and to provide strategies for meeting those local needs. Therefore, projects funded with Lifeline Transportation Program funds should be consistent with the transportation needs, proposed solutions, and enhanced coordination strategies presented in the Coordinated Plan to the extent practicable considering any other funding source restrictions.

The Bay Area's Coordinated Plan was updated in March 2013 and is available at <http://www.mtc.ca.gov/planning/pths/>.

Mobility management was a key coordination strategy recommended in the 2013 plan update. The designation of lead mobility managers or Consolidated Transportation Service Agencies (CTSAs) at the County or subregional level was an essential component of that strategy. Consistent with those recommendations, the Lifeline Program Administrators may, at their discretion, choose to award extra points to—or otherwise give priority to—projects sponsored by or coordinated with County or subregional Mobility Managers or CTSAs.

Transportation needs specific to senior and disabled residents of low-income communities may also be considered when funding Lifeline projects.

10. GRANT APPLICATION. To ensure a streamlined application process for project sponsors, a universal application form will be used, but, with review and approval from MTC, may be modified as appropriate by the Lifeline Program Administrator for inclusion of county-specific grant requirements.

Applicants with multi-county projects must notify the relevant Lifeline Program Administrators and MTC about their intent to submit a multi-county project, and submit copies of their application to all of the relevant counties. If the counties have different application forms, the applicant can submit the same form to all counties, but should contact the Lifeline Program Administrators to determine the appropriate form. If the counties have different application deadlines, the applicant should adhere to the earliest deadline. The Lifeline Program Administrators will work together to score and rank the multi-county projects, and, if selected, to determine appropriate funding. (Note: Multi-county operators with projects that are located in a single county need only apply to the county where the project is located.)

11. APPLICATION EVALUATION

- a. Evaluation criteria. Standard evaluation criteria will be used to assess and select projects. The six criteria include (1) project need/goals and objectives, (2) community-identified priority, (3) implementation plan and project management capacity, (4) coordination and program outreach, (5) cost-effectiveness and performance indicators, and (6) project budget/sustainability. Lifeline Program Administrators will establish the weight to be assigned for each criterion in the assessment process.

Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

See Appendix 2 for the detailed standard evaluation criteria.

- b. Evaluation panel. Each county will appoint a local evaluation panel of CMA staff, the local low-income or minority representative from MTC's Policy Advisory Council (if available), and representatives of local stakeholders, such as transit operators, other transportation providers, community-based organizations, social service agencies, and local jurisdictions, to score and select projects. Counties are strongly encouraged to appoint a diverse group of stakeholders for their local evaluation panel. Each county will assign local priorities for project selection by establishing the weight for each criterion and, at the CMA's discretion, adding local criteria to the standard regional criteria.
12. COUNTYWIDE PROGRAM OF PROJECTS. A full program of projects is due to MTC from each Lifeline Program Administrator on **March 13, 2015**. However, given state and federal funding uncertainties, sponsors with projects selected for FY2015 and FY2016

Section 5307 (JARC) funds and FY2016 STA funds should plan to defer the start of those projects until the funding is appropriated and secured. Lifeline Program Administrators, at their discretion, may opt to allot FY2014 and FY2015 funds to high scoring projects so they can be started quickly. MTC staff will work with Lifeline Program Administrators on this sequencing; MTC staff expects that more will be known about the FY2015 Section 5307 (JARC) funds and the FY2016 STA and Section 5307 (JARC) funds in calendar year 2015.

13. POLICY BOARD ADOPTION

- a. Project sponsor resolution of local support. Prior to MTC's programming of Lifeline Cycle 4 funds (STA, Section 5307 JARC and/or Proposition 1B) to any project, MTC requires that the project sponsor adopt and submit a resolution of local support. The resolution shall state that approved projects not only exemplify Lifeline Program goals, but that the local project sponsors understand and agree to meeting all project delivery, funding match and eligibility requirements, and obligation and reporting deadlines and requirements. MTC will provide a resolution of local support template. The County Lifeline Program Administrators have the option of collecting the resolutions of local support from project sponsors along with the project applications, or after the project is selected by the County for funding.

Caltrans requires that Proposition 1B - Transit projects either be consistent with the project sponsor's most recent short-range transit plan (SRTP), as evidenced by attaching the relevant SRTP page to the allocation request, or be accompanied by a certified Board Resolution from the project sponsor's governing board.

- b. Lifeline Program Administrator/CMA Board Resolution and Concurrence

- (1) STA and Section 5307 (JARC). Projects recommended for STA and Section 5307 (JARC) funding must be submitted to and approved by the respective governing board of the Lifeline Program Administrator.
- (2) Proposition 1B. Projects funded with Proposition 1B Transit funds must have concurrence from the applicable Lifeline Program Administrator/CMA. Concurrence may be provided by a board resolution or by a letter from an authorized representative.

14. PROJECT DELIVERY. All projects funded under the county programs are subject to the following MTC project delivery requirements:

- a. Section 5307 (JARC). Project sponsors must expend the Lifeline Transportation Program Section 5307 (JARC) funds within three years of the FTA grant award or execution of agreement with pass-through agency, whichever is applicable. To prevent the Section 5307 (JARC) funds from lapsing on the federal obligation deadline, MTC reserves the right to reprogram funds if direct recipients fail to submit their FTA grant by the following dates:

- June 30, 2015 for FY2014 and FY2015 funds (the deadline to submit grants for FY15 funds may be extended depending on the availability of FY15 apportionments.)
- June 30, 2016 for FY2016 funds

Direct recipients are responsible for carrying out the terms of their grants.

- b. STA. Project sponsors must expend the Lifeline Transportation Program STA funds within three years of the date that the funds are programmed by MTC or the date that the agreement with pass-through agency is executed, whichever is applicable.
 - c. Proposition 1B. Project sponsors must expend the Lifeline Transportation Program Proposition 1B funds within three years of the date that funds are available. Disbursement timing depends on the timing of State bond sales.
15. PROJECT OVERSIGHT. For Lifeline projects funded by STA and Section 5307 (JARC), Lifeline Program Administrators are responsible for programmatic and fiscal oversight, and for ensuring projects meet MTC obligation deadlines and project delivery requirements. In addition, Lifeline Program Administrators will ensure that projects substantially carry out the scope described in the grant applications for the period of performance. All project budget and scope of work changes must be approved by the MTC Commission; however the Lifeline Program Administrators are responsible for approving budget and scope of work changes prior to MTC's authorization. All scope changes must be fully explained and must demonstrate consistency with Lifeline Transportation Program goals.

For projects funded by Proposition 1B, the Lifeline Program Administrators are encouraged to continue coordination efforts with the project sponsors if they determine that it would be beneficial toward meeting the Lifeline goals; however, this may not be necessary or beneficial for all Proposition 1B projects.

See Appendix 1 for detailed accountability and reporting requirements by funding source.

16. PERFORMANCE MEASURES. As part of the Call for Projects, applicants will be asked to establish project goals, and to identify basic performance indicators to be collected in order to measure the effectiveness of the Lifeline projects. At a minimum, performance measures for service-related projects would include: documentation of new "units" of service provided with the funding (e.g., number of trips, service hours, workshops held, car loans provided), cost per unit of service, and a qualitative summary of service delivery procedures employed for the project. For capital projects, project sponsors are responsible for establishing milestones and reporting on the status of project delivery. Project sponsors are responsible for satisfying all reporting requirements, as referenced in Appendix 1. Lifeline Program Administrators will forward all reports containing performance measures to MTC for review and overall monitoring of the Lifeline Transportation Program.

17. FUND ADMINISTRATION

- a. Section 5307 (JARC). MTC will enter all Lifeline Section 5307 (JARC) projects into the Transportation Improvement Program (TIP). Transit operators that are FTA grantees are the only eligible recipients of Section 5307 (JARC) funds. FTA grantees will act as direct recipients, and will submit grant applications directly to FTA.

For Section 5307 (JARC) projects sponsored by non-FTA grantees (e.g., nonprofits or other local government entities), the FTA grantee who was identified as the partner agency at the time of the application will submit the grant application to FTA directly and, following FTA approval of the grant, will enter into funding agreements with the subrecipient project sponsor.

FTA recipients are responsible for following all applicable federal requirements and for ensuring that their subrecipients comply with all federal requirements. See Section 18 for federal compliance requirements.

- b. STA. For transit operators receiving STA funds, MTC will allocate funds directly through the annual STA claims process. For other STA eligible projects administered by sponsors who are not STA eligible recipients, the project sponsor is responsible for identifying a local transit operator who will act as a pass-through for the STA funds, and will likely enter into a funding agreement directly with the project sponsor. Project sponsors are responsible for entering their own STA projects into the TIP.
- c. Proposition 1B Transit. Project sponsors receiving Proposition 1B funds must submit a Proposition 1B allocation request to MTC for submittal to Caltrans with prior review by MTC. The state will distribute funds directly to the project sponsor. Note that although the Proposition 1B Transit Program is intended to be an advance-payment program, actual disbursement of funds is dependent on the State budget and State bond sales. Project sponsors are responsible for entering their own Proposition 1B projects into the TIP.

18. COMPLIANCE WITH FEDERAL REQUIREMENTS.

- a. Lifeline Program Administrator Responsibilities. For the selection of FTA Section 5307 (JARC) projects, in accordance with federal Title VI requirements, Lifeline Program Administrators must distribute the Section 5307 (JARC) funds without regard to race, color, and national origin, and must assure that minority populations are not being denied the benefits of or excluded from participation in the program. Lifeline Program Administrators shall develop the program of projects or competitive selection process to ensure the equitable distribution of FTA Section 5307 (JARC) funds to project sponsors that serve predominantly minority populations. Equitable distribution can be achieved by engaging in outreach to diverse stakeholders regarding the availability of funds, and ensuring the competitive process is not itself a barrier to selection of applicants that serve predominantly minority populations.
- b. Project Sponsor Responsibilities. FTA Section 5307 (JARC) applicants should be prepared to abide by all applicable federal requirements as specified in 49 U.S.C. Section

5307; FTA Circulars C 9030.1E, 4702.1B and 4703.1; the most current FTA Master Agreement; and the most current Certifications and Assurances for FTA Assistance Programs.

FTA Section 5307 (JARC) direct recipients will be responsible for adhering to FTA requirements through their agreements and grants with FTA directly and for ensuring that all subrecipients and third-party contractors comply with FTA requirements.

19. TIMELINE. The anticipated timeline for Cycle 4 is as follows:

Program	Action	Anticipated Date*
All	Commission approves Cycle 4 Program Guidelines	October 22, 2014
All	MTC issues guidelines to counties	October 22, 2014
Prop 1B	Transit operators submit draft project lists to County Lifeline Program Administrators	January 15, 2015
Prop 1B	Allocation requests due to MTC (concurrence** from the CMA is required)	March 13, 2015
5307 (JARC) & STA	Board-approved** programs due to MTC from CMAs	March 13, 2015
All	Commission approval of Program of Projects	April 22, 2015
5307 (JARC)	MTC submits TIP amendment for FY14, FY15 and FY16 projects	End of April – Deadline TBD
Prop 1B & STA	Project sponsors submit TIP amendments	End of April – Deadline TBD
Prop 1B	MTC submits allocation requests to Caltrans	Deadline TBD by Caltrans*
STA	Operators can file claims for FY14 and FY15	After 4/22/15 Commission Approval
5307 (JARC)	Deadline for transit operators (FTA grantees) to submit FTA grants for FY14 and FY15 funds	June 30, 2015
STA	Operators can file claims for FY16	After July 1, 2015
5307 (JARC)	Deadline for transit operators (FTA grantees) to submit FTA grants for FY16 funds	June 30, 2016

* Dates subject to change depending on State and Federal deadlines and availability of funds.

** CMA Board approval and concurrence may be pending at the time of deadline.

Appendix 1
Lifeline Transportation Program Cycle 4
Funding Source Information

	State Transit Assistance (STA)	Proposition 1B – Transit	Section 5307
Purpose of Fund Source	To improve existing public transportation services and encourage regional transportation coordination http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/STIP/TDA_4-17-2013.pdf	To help advance the State's goals of providing mobility choices for all residents, reducing congestion, and protecting the environment http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf	Job Access and Reverse Commute (JARC) To support the continuation and expansion of public transportation services in the United States
Detailed Guidelines	http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/STIP/TDA_4-17-2013.pdf	http://www.dot.ca.gov/hq/MassTrans/Docs-Pdfs/Prop%201B/PTMISEA-Guidelines_2013.pdf	http://www.fta.dot.gov/documents/FINAL_FTA_circular9030.1E.pdf
Use of Funds	For public transportation purposes including community transit services	For public transportation purposes	For the Lifeline Transportation Program, the use of Section 5307 funds is restricted solely to Job Access and Reverse Commute projects that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low income individuals to and from jobs and activities related to their employment.
Eligible Recipients	<ul style="list-style-type: none"> ▪ Transit operators ▪ Consolidated Transportation Service Agencies (CTSAs) ▪ Cities and Counties if eligible to claim TDA ▪ Cities and counties that are not eligible to claim TDA 	<ul style="list-style-type: none"> ▪ Transit operators 	<ul style="list-style-type: none"> ▪ Transit operators that are FTA grantees
Eligible Subrecipients (must partner with an eligible recipient that will serve as a pass-through agency)		<ul style="list-style-type: none"> ▪ N/A 	<ul style="list-style-type: none"> ▪ Private non-profit organizations ▪ Public agencies that are not FTA grantees (e.g., cities, counties)

Eligible Projects	State Transit Assistance (STA)	Proposition 1B – Transit	Section 5307 Job Access and Reverse Commute (JARC)
	<p><u>Transit Capital and Operations, including:</u></p> <ul style="list-style-type: none"> ▪ New, continued or expanded fixed-route service ▪ Purchase of vehicles ▪ Shuttle service if available for use by the general public ▪ Purchase of technology (e.g., GPS, other ITS applications) ▪ Capital projects such as bus stop improvements, including bus benches, shelters, etc. ▪ Various elements of mobility management, if consistent with STA program purpose and allowable use. These may include planning, coordinating, capital or operating activities. 	<p><u>Transit Capital</u> (including a minimum operable segment of a project) for:</p> <ul style="list-style-type: none"> ▪ Rehab, safety, or modernization improvements ▪ Capital service enhancements or expansions ▪ New capital projects ▪ Bus rapid transit improvements ▪ Rolling stock procurement, rehab, or replacements <p>Projects must be consistent with most recently adopted short-range transit plan or other publicly adopted plan that includes transit capital improvements.</p>	<p><u>New and existing services.</u> Eligible job access and reverse commute projects must provide for the development or maintenance of eligible job access and reverse commute services. Recipients may not reclassify existing public transportation services that have not received funding under the former Section 5316 program as job access and reverse commute services in order to qualify for operating assistance. In order to be eligible as a job access and reverse commute project, a proposed project must qualify as either a “development project” or a “maintenance project” (see Section 7.c.(2) of these guidelines for details regarding “development” and “maintenance” projects).</p> <p><u>Capital and Operating projects.</u> Projects that comply with the requirements above may include, but are not limited to:</p> <ul style="list-style-type: none"> ▪ Late-night & weekend service; ▪ Guaranteed ride home service; ▪ Shuttle service; ▪ Expanding fixed route public transit routes, including hours of service or coverage; ▪ Demand-responsive van service; ▪ Ridesharing and carpooling activities; ▪ Transit-related aspects of bicycling; ▪ Administration and expenses for voucher programs; ▪ Local car loan programs; ▪ Intelligent Transportation Systems (ITS); ▪ Marketing; and ▪ Mobility management. <p>See FTA C 9030.1E, Chapter IV, Section 5 for details regarding eligible JARC projects.</p>

	State Transit Assistance (STA)	Proposition 1B – Transit	Section 5307 Job Access and Reverse Commute (JARC)
Lifeline Program Local Match	20%	20%	<ul style="list-style-type: none"> 50% for operating projects (may use STA funds to cover up to 30% if project is eligible for both JARC and STA) 50% for auto projects 20% for capital projects
Estimated timing for availability of funds to project sponsor	<p>Transit operators, CTSAs and eligible cities and counties can initiate claims for FY14 and FY15 funds immediately following MTC approval of program of projects, and can initiate claims for FY16 funds after July 1, 2015.</p> <p>For subrecipients, the eligible recipient acting as fiscal agent will likely initiate a funding agreement following MTC approval of program of projects. Funds will be available on a reimbursement basis after execution of the agreement.</p>	<p>Project sponsors must submit a Proposition 1B allocation request to MTC for submittal to Caltrans by March 13, 2015. Disbursement timing depends on bond sales.</p>	<p>Following MTC approval of the program of projects, MTC will add projects to the TIP. Following TIP approval, FTA grantees must submit FTA grants for FY14 and FY15 funds by June 30, 2015. (The deadline to submit grants for FY15 funds may be extended depending on the availability of FY15 apportionments.) FTA grantees must submit FTA grants for FY16 funds by June 30, 2016.</p> <p>FTA grantees can begin their projects after the funds are obligated in an FTA grant (estimated Fall 2015 for FY14 & FY15 funds; estimated Fall 2016 for FY16 funds). For subrecipients, the FTA grantee acting as fiscal agent will likely initiate a funding agreement following FTA grant award. Funds will be available on a reimbursement basis after execution of the agreement.</p>
Accountability & Reporting Requirements	<p>Transit operators and eligible cities and counties must submit annual performance (i.e., ridership) statistics for the project, first to Lifeline Program Administrators for review, and then to MTC along with annual claim.</p> <p>Depending on the arrangement with the pass-through agency, subrecipients will likely submit quarterly performance reports with invoices, first to the pass-through agency for reimbursement, and then to Lifeline Program Administrators for review.</p>	<p>Using designated Caltrans forms, project sponsors are required to submit project activities and progress reports to the state every six months, as well as a project close-out form. Caltrans will track and publicize progress via their website.</p> <p>Project sponsor will not be required to submit progress reports to the Lifeline Program Administrator unless the LPA believes that county-level project monitoring would be beneficial. MTC and/or the Lifeline Program Administrators may request to be copied on progress reports that are submitted to Caltrans.</p>	<p>FTA grantees are responsible for following all applicable federal requirements for preparing and maintaining their Section 5307 (JARC) grants. MTC and/or the Lifeline Program Administrators may request copies of FTA grantees' quarterly Section 5307 (JARC) grant reports to FTA.</p> <p>Depending on the arrangement with the pass-through agency, subrecipients will likely submit quarterly performance reports with invoices, first to Lifeline Program Administrators for review, and then to the pass-through agency for reimbursement. Subrecipients will also submit Title VI reports annually to the pass-through agency.</p>

Note: Information on this chart is accurate as of October 2014. MTC will strive to make Lifeline Program Administrators aware of any changes to fund source guidelines that may be enacted by the appropriating agencies (i.e. State of California, Federal Transit Administration).

Appendix 2

Lifeline Transportation Program Cycle 4 Standard Evaluation Criteria

The following standard evaluation criteria are intended to provide consistent guidance to each county in prioritizing and selecting projects to receive Lifeline Transportation Program funds. Each county, in consultation with other stakeholder representatives on the selection committee, will consider these criteria when selecting projects, and establish the weight to be assigned to each of the criterion. Additional criteria may be added to a county program but should not replace or supplant the regional criteria. MTC staff will review the proposed county program criteria to ensure consistency and to facilitate coordination among county programs.

- a. **Project Need/Goals and Objectives:** Applicants should describe the unmet transportation need or gap that the proposed project seeks to address and the relevant planning effort that documents the need. Describe how project activities will mitigate the transportation need. Project application should clearly state the overall program goals and objectives, and demonstrate how the project is consistent with the goals of the Lifeline Transportation Program.
- b. **Community-Identified Priority:** Priority should be given to projects that directly address transportation gaps and/or barriers identified through a Community-Based Transportation Plan (CBTP) or other substantive local planning effort involving focused outreach to low-income populations. Applicants should identify the CBTP or other substantive local planning effort, as well as the priority given to the project in the plan.

Other projects may also be considered, such as those that address transportation needs identified in countywide or regional welfare-to-work transportation plans, the Coordinated Public Transit-Human Services Transportation Plan, or other documented assessment of needs within designated communities of concern. Findings emerging from one or more CBTPs or other relevant planning efforts may also be applied to other low-income areas, or otherwise be directed to serve low-income constituencies within the county, as applicable.

A communities of concern (CoC) mapping tool showing both CoCs adopted with Plan Bay Area as well as the most recent socioeconomic data available from the Census Bureau is available at: http://gis.mtc.ca.gov/samples/Interactive_Maps/cocs.html.¹

- c. **Implementation Plan and Project Management Capacity:** For projects seeking funds to support program operations, applicants must provide a well-defined service operations plan, and describe implementation steps and timelines for carrying out the plan.

For projects seeking funds for capital purposes, applicants must provide an implementation plan, milestones and timelines for completing the project.

Priority should be given to projects that are ready to be implemented in the timeframe that the funding is available.

Project sponsors should describe and provide evidence of their organization's ability to provide and manage the proposed project, including experience providing services for low-income

¹ There is a user's guide available to aid in the use of this tool.

persons, and experience as a recipient of state or federal transportation funds. For continuation projects that have previously received Lifeline funding, project sponsor should describe project progress and outcomes.

- d. **Coordination and Program Outreach:** Proposed projects will be evaluated based on their ability to coordinate with other community transportation and/or social service resources. Applicants should clearly identify project stakeholders, and how they will keep stakeholders involved and informed throughout the project. Applicants should also describe how the project will be marketed and promoted to the public.
- e. **Cost-Effectiveness and Performance Indicators:** The project will be evaluated based on the applicant's ability to demonstrate that the project is the most appropriate way in which to address the identified transportation need, and is a cost-effective approach. Applicants must also identify clear, measurable outcome-based performance measures to track the effectiveness of the service in meeting the identified goals. A plan should be provided for ongoing monitoring and evaluation of the service, as well as steps to be taken if original goals are not achieved.
- f. **Project Budget/Sustainability:** Applicants must submit a clearly defined project budget, indicating anticipated project expenditures and revenues, including documentation of matching funds. Proposals should address long-term efforts and identify potential funding sources for sustaining the project beyond the grant period.

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 5.8

From: Sandy Wong, Executive Director

Subject: Review and accept the Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects Financial Audit for Project Period Ended June 30, 2013

(For further information or response to questions, contact John Hoang at 650-363-4105)

RECOMMENDATION

Review and accept the Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects Financial Audit for Project Period Ended June 30, 2013.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Transportation Fund for Clean Air (TFCA).

BACKGROUND

A separate independent audit was performed by the Bay Area Air Quality Management District on the TFCA Program Manager Fund Projects for the project period ended June 30, 2013, encompassing Fiscal Years 2011/12 and 2012/13. No issues were identified that required correction.

ATTACHMENTS

1. Independent Auditor's Reports and Schedule of Expenditures of TFCA Program Manager Fund Projects Period Ended June 30, 2013

**CITY/COUNTY ASSOCIATION
OF GOVERNMENTS OF
SAN MATEO COUNTY**

**INDEPENDENT AUDITOR'S
REPORTS AND SCHEDULE OF
EXPENDITURES OF TRANSPORTATION
FUND FOR CLEAN AIR PROGRAM
MANAGER FUND PROJECTS**

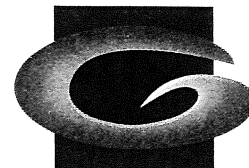
PROJECT PERIOD ENDED JUNE 30, 2013

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY**

TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND

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INDEPENDENT AUDITOR'S REPORT

Board Members

**City/County Association of Governments of San Mateo County
Redwood City, California**

Board of Directors

**Bay Area Air Quality Management District
San Francisco, California**

Report on the Schedule

We have audited the accompanying Schedule of Expenditures of Projects (Schedule) of the City/County Association of Governments of San Mateo County's (C/CAG) Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects for the project period ended June 30, 2013, and the related notes to the Schedule.

Management's Responsibility for the Schedule

Management is responsible for the preparation and fair presentation of the Schedule in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Schedule that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the Schedule based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the Schedule is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the Schedule. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the Schedule, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the Schedule in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the Schedule.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

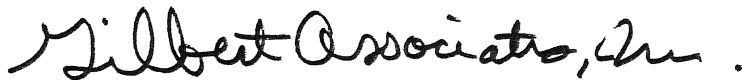
In our opinion, the Schedule referred to above presents fairly, in all material respects, the expenditures of the projects of C/CAG's TFCA Program for the project period ended June 30, 2013, in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

The accompanying Schedule was prepared to present expenditures of the C/CAG's TFCA funding as described in Note 1 and is not intended to be a complete presentation of the C/CAG's financial position or changes in financial position.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated September 16, 2014, on our consideration of the C/CAG's internal control over financial reporting pertaining to the C/CAG's TFCA Program and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the C/CAG's internal control over financial reporting and compliance.



GILBERT ASSOCIATES, INC.
Sacramento, California

September 16, 2014

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF
SAN MATEO COUNTY**

TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND

**SCHEDULE OF EXPENDITURES OF PROJECTS
FOR THE PROJECT PERIOD ENDED JUNE 30, 2013**

<u>Project Description</u>	<u>TFCA Project Number</u>	<u>Original TFCA Project Allocation</u>	<u>Final TFCA Project Allocation</u>	<u>Final Project Expenditures through 6/30/13</u>
City/County Association of Governments of San Mateo County				
Program Administration	10SM00	\$ 47,153	\$ 50,580	\$ 38,447
Program Administration	11SM00	46,566	50,748	39,493
Peninsula Traffic Congestion Relief Alliance				
Countywide Voluntary Trip Reduction Program	10SM01	421,000	421,000	421,000
Countywide Voluntary Trip Reduction Program	11SM01	414,000	414,000	414,000
San Mateo County Transit District				
SamTrans Shuttle Bus Program	10SM02	536,000	536,000	536,000
SamTrans Shuttle Bus Program	11SM02	<u>527,000</u>	<u>527,000</u>	<u>527,000</u>
Total		<u>\$ 1,991,719</u>	<u>\$ 1,999,328</u>	<u>\$ 1,975,940</u>

The accompanying notes are an integral part of this financial schedule.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND

NOTES TO THE SCHEDULE OF EXPENDITURES OF PROJECTS FOR THE PROJECT PERIOD ENDED JUNE 30, 2013

1. PROGRAM DESCRIPTION

Health and Safety Code Sections 44223 and 44225 authorize a surcharge on the motor vehicle registration fee (surcharge) to be used by the Bay Area Air Quality Management District (Air District) and local governments specifically for programs to reduce air pollution from motor vehicles. The Department of Motor Vehicles collects the surcharge and allocates the amounts to the Air District. The Air District administers these funds through the Transportation Fund for Clean Air (TFCA) Program. Under the TFCA Program, money is allocated to two funds: (1) 60% is placed in the Regional Fund and allocated to agencies on a competitive basis by the Air District and (2) 40% is placed in the Program Manager Fund and allocated to designated agencies. Allowable projects under Health and Safety Code Section 44241 include the following:

- Ridesharing program
- Purchase or lease of clean fuel school and transit buses
- Feeder or shuttle bus service to rail and ferry stations and airports
- Arterial traffic management
- Demonstrations in congestion pricing of highways, bridges, and public transit
- Rail bus integration and regional transit information systems
- Low emission vehicle projects
- Bicycle facility improvement projects
- Physical improvements that support "Smart Growth" projects

Relationship to the City/County Association of Governments of San Mateo County's Basic Financial Statements

The City/County Association of Governments of San Mateo County (C/CAG) is the designated Program Manager for the County of San Mateo, and accounts for TFCA Program activities within a special revenue fund. The accompanying Schedule of Expenditures of Projects (Schedule) represents only the TFCA Program Manager Funds allocated to C/CAG for certain projects and is not intended to present fairly the financial position and changes in financial position of the C/CAG in conformity with accounting principles generally accepted in the United States of America.

2. PROGRAM MANAGER PROJECTS

The Schedule reports on certain TFCA projects selected by the Air District for audit. The projects in the Schedule represent projects funded through the Program Manager Fund and completed between July 1, 2011, and June 30, 2013. Projects may have started several years earlier.

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

TRANSPORTATION FUND FOR CLEAN AIR PROGRAM MANAGER FUND

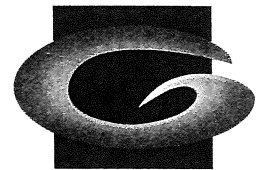
NOTES TO THE SCHEDULE OF EXPENDITURES OF PROJECTS FOR THE PROJECT PERIOD ENDED JUNE 30, 2013

3. BASIS OF ACCOUNTING

The TFCA Program funds are accounted for on a spending or current financial resources measurement focus and the modified accrual basis of accounting. Under this basis of accounting, expenditures are recorded in the accounting period in which the liability is incurred. Expenditures as noted in the Schedule represent only the amount funded by the Air District. Expenditures of matching and other funding sources are not included on the Schedule.

4. INVESTMENT POOL

C/CAG's Investment Policy allows it to invest in the state's Local Agency Investment Fund (LAIF) and the San Mateo County Investment Fund (SMCIF). LAIF is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California. SMCIF is regulated by California Government Code Section 5600 under the oversight of the Treasurer of the County of San Mateo. The relative shares in each pool are guided through the process outlined in the C/CAG Investment Policy. Day to day management of C/CAG's portfolio is conducted by the C/CAG Fiscal Agent Administrative Services Director and Finance Officer. The C/CAG Fiscal Agent has an investment committee that meets as necessary to discuss changes to the investment strategy. Any interest earned on TFCA cash deposits in the pools is used for TFCA Program Manager Fund projects.



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**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF THE SCHEDULE OF EXPENDITURES OF PROJECTS PERFORMED
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*
AND REQUIREMENTS OF SECTION 44241 OF THE
CALIFORNIA HEALTH AND SAFETY CODE**

Independent Auditor's Report

Board Members

**City/County Association of Governments of San Mateo County
Redwood City, California**

Board of Directors

**Bay Area Air Quality Management District
San Francisco, California**

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the accompanying Schedule of Expenditures of Projects (Schedule) of the City/County Association of Governments of San Mateo County (C/CAG) Transportation Fund for Clean Air (TFCA) Program Manager Fund Projects, and the related notes to the Schedule, for the project period ended June 30, 2013, and have issued our report thereon dated September 16, 2014.

Internal Control Over Financial Reporting

In planning and performing our audit of the Schedule, we considered the C/CAG's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the Schedule, but not for the purpose of expressing an opinion on the effectiveness of the C/CAG's internal control. Accordingly, we do not express an opinion on the effectiveness of the C/CAG's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's Schedule will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the C/CAG's Schedule is free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, including Section 44241 of the California Health and Safety Code, noncompliance with which could have a direct and material effect on the determination of Schedule amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit of the Schedule, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the C/CAG's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the C/CAG's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



GILBERT ASSOCIATES, INC.
Sacramento, California

September 16, 2014

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 6.1

From: Sandy Wong, Executive Director

Subject: Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified)

(For further information or questions contact Jean Higaki at 599-1462)

RECOMMENDATION

Review and approval of C/CAG legislative policies, priorities, positions, and legislative update (A position may be taken on any legislation, including legislation not previously identified)

FISCAL IMPACT

Unknown.

SOURCE OF FUNDS

N/A

BACKGROUND

The C/CAG Legislative Committee receives monthly written reports and oral briefings from the C/CAG's State legislative advocates. Important or interesting issues that arise out of that meeting are reported to the Board.

The last day to pass legislation before the end of this session was August 31, 2014. September 30, 2014 is the last day for the Governor to sign or veto bills passed by the Legislature in August. C/CAG supported bill AB 2170 was signed into law on September 17, 2014. AB 2170 clarifies that parties to a Joint Powers Agreement may exercise any power common to the contracting parties, including, the authority to levy a fee or tax.

ATTACHMENTS

1. October 9, 2014 State Legislative Update from Shaw Yoder Antwih
2. Full Legislative information is available for specific bills at <http://leginfo.legislature.ca.gov/>



ADVOCATION



SHAW/YODER/ANTWIH, inc.
LEGISLATIVE ADVOCACY • ASSOCIATION MANAGEMENT

DATE: October 9, 2014

TO: Board Members, City/County Association of Governments, San Mateo County

FROM: Andrew Antwih and Matt Robinson, Shaw / Yoder / Antwih, Inc.
Chuck Cole, Advocation, Inc.

RE: STATE LEGISLATIVE UPDATE --October 2014

Legislative Update

On August 30, the Legislature adjourned the 2013-14 Legislative Session and members returned to their districts to work on constituent issues. On September 30th, the Governor took final action on bills sent to him for 2014. We have provided an update on legislation of importance to the Board. The Governor's office reported that a total of 1074 bills reached the Governor's desk in 2014. Of that total, 930 were signed into law and 143 were vetoed.

Bills of Interest

AB 418 [Mullin] – Property-Related Fee for Storm Water Management

Summary: This bill would enable San Mateo City/County Association of Governments (C/CAG) to put a special tax or property related fee before the voters for stormwater management activities consistent with C/CAG's joint powers agreement. Any action must be consistent with the California Constitution. **C/CAG is the Sponsor of this bill.**

Status: This bill was held on the Senate Floor.

AB 1690 [Gordon] – Housing Elements in General Plans

Summary: This bill would allow a local government, when developing its General Plan, to zone at least 50% of its affordable housing need on sites designated for residential use or mixed-uses. **C/CAG is in Support of this bill.**

Status: This bill was signed by the Governor on September 30 [Chapter 883, Statutes of 2014].

AB 2170 [Mullin] – Clarification of a JPA's Authority

Summary: This bill would clarify that parties to a Joint Powers Agreement may exercise any power common to the contracting parties, including, the authority to levy a fee or tax. **C/CAG is in Support of this bill.**

Status: This bill was signed by the Governor on September 17 [Chapter 386, Statutes of 2014].

AB 2403 [Rendon] – Proposition 218 Clarification

Summary: This bill would modify the definition of “water” under the Proposition 218 Omnibus Implementation Act to mean “any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water *from any source*.” The Act defines terms used in Articles XIII C and XIII D of the Constitution. **C/CAG is in Support of this bill.**

Status: This bill was signed by the Governor on June 28 [Chapter 78, Statutes of 2014].

SB 556 [Padilla] – Identification of Non-Governmental Employees

Summary: This bill would prohibit a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays a disclosure. This bill now applies only to fire protection services, rescue services, emergency medical services, hazardous material emergency response services, and ambulance services.

Status: This bill was signed by the Governor on September 29 [Chapter 832, Statutes of 2014].

SB 628 (Beall) would authorize the creation of “enhanced” Infrastructure Financing Districts (eIFD) by a local agency to fund the construction of infrastructure projects, including: highways, interchanges, ramps & bridges, arterial streets, parking facilities, and transit facilities; transit priority projects; and projects that implement a sustainable communities strategy. An eIFD may not finance routine maintenance, repair work, or the costs of an ongoing operation. This bill does not establish a voter-approval requirement for the creation of the eIFD and requires the approval of 55 percent of impacted property owners to issue bonds for the project. Finally, the bill allows the eIFD, with the consent of local taxing entities, to divert incremental property tax revenue to the eIFD to finance eligible projects, as well as seek benefit assessment and user-fees to fund projects.

Status: This bill was signed by the Governor on September 29 [Chapter 785, Statutes of 2014].

SB 1077 [DeSaulnier] – Vehicle Miles Traveled Pilot Program

This bill would the California State Transportation Agency (CalSTA) to develop a pilot program designed to assess specified issues related to implementing a mileage-based fee (MBF) in California to replace the state's existing fuel excise tax by January 1, 2016. The bill would require the CalSTA to assess certain issues related to implementing an MBF, including different methods for calculating mileage and collecting road use information, processes for managing, storing, transmitting, and destroying data to protect the integrity of the data and ensure drivers' privacy, and costs associated with the implementation and operation of the MBF system.

Status: This bill was signed by the Governor on September 29 [Chapter 835, Statutes of 2014].

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 6.2.1

From: Sandy Wong, Executive Director

Subject: Review and approval of the guidelines and call for projects for the C/CAG Priority Development Area Parking Policy Technical Assistance Program

(For further information or response to questions, contact Wally Abrazaldo at 650-599-1455)

RECOMMENDATION

That the C/CAG Board of Directors review and approve the guidelines and call for projects for the C/CAG Priority Development Area (PDA) Parking Policy Technical Assistance Program.

FISCAL IMPACT

Approximately \$342,000 would be made available to support parking policy technical assistance projects in PDAs. Local PDA Planning funds made available by the Metropolitan Transportation Commission (MTC) make up \$302,000 of this total. The remaining amount not to exceed \$40,000 is from the Congestion Relief Plan Fund and is included as required local matching funds for the project.

SOURCE OF FUNDS

Federal Surface Transportation Program (STP) funds are the funding source of the Local PDA Planning funds, and the Congestion Relief Plan Fund is the funding source of the local matching funds.

BACKGROUND

In November 2012, MTC finalized the establishment of a \$20 million planning program for county congestion management agencies (CMAs) to support planning activities in their local PDAs. PDA planning funds were allocated to the nine CMAs in the region based on the OneBayArea Grant (OBAG) program distribution formula. Following the addition of OBAG funds from the last funding cycle that remained un-programmed, C/CAG had \$1,692,000 available to award to eligible projects in the county.

In October 2013, C/CAG developed and issued a call for projects for the C/CAG PDA Planning Program to support the vision for growth in PDAs in San Mateo County. Four jurisdictions submitted applications for funding by the January 2014 deadline, and in April 2014, the C/CAG Board of Directors approved awarding \$1,390,000 to PDA planning projects in Belmont, Millbrae, and Redwood City.

In June and July 2014, staff brought forward a conceptual proposal to establish a PDA Parking Policy Technical Assistance Program with the remaining PDA Planning funds to the C/CAG Congestion Management & Environmental Quality Committee (CMEQ) and the C/CAG Technical Advisory Committee (TAC). The idea for this proposal stemmed from the results of recent studies sponsored by

the Grand Boulevard Initiative (GBI) and MTC, which suggest that excessive on-site parking requirements can reduce the feasibility of infill development and increase housing costs. These studies recommend the development and implementation of new parking management strategies to raise revenues for improvements in PDAs, manage traffic congestion, and/or encourage alternative modes of transportation. Such strategies include, but are not limited to:

- User fees;
- Parking credits, impact, or in-lieu fees;
- Reduced parking ratios;
- Shared parking;
- Residential permit parking programs;
- Signage and real-time parking information; and
- Transportation Demand Management (TDM) programs.

Staff proposed to develop a program that would provide consultant technical support to jurisdictions in San Mateo County to complete planning projects that facilitate the implementation of parking management strategies supportive of the vision for growth and development in PDAs. To establish and fund the program, C/CAG would access the remaining \$302,000 in PDA planning funds through Caltrans and provide up to \$40,000 for the required local match from the Congestion Relief Plan Fund. The C/CAG CMEQ Committee and TAC reviewed the proposal and recommended that staff move forward and develop more detailed guidelines.

Attached to this report are the guidelines and call for projects for the C/CAG PDA Parking Policy Technical Assistance Program. The program will provide consultant technical support to jurisdictions in San Mateo County to prepare parking management plans, zoning code updates, technical studies and analyses, and parking policy implementation plans consistent with the local vision for growth and development in PDAs. Projects that consider innovative approaches to addressing parking problems and/or incorporate active transportation elements (i.e. bicycle parking and access, etc.) are encouraged.

Given that the proposed program is part of a larger regional initiative to finance planning projects in PDAs, only planning projects that directly support PDAs in San Mateo County will be eligible for technical assistance. Design/construction activities are ineligible.

After projects are awarded, staff propose to release a Request for Proposals to secure consultants to perform work directly for project sponsors. While C/CAG will assume all contract administration responsibilities, project sponsors will be expected to lead outreach efforts, provide technical oversight, review consultant deliverables, attend project meetings, provide data as necessary, and coordinate with C/CAG staff.

The proposed schedule for the program is presented below.

Event	Date*
Call for Projects Issued	October 10, 2014
Application Workshops	Late October 2014
Applications Due	December 1, 2014
Selection Panel Reviews Applications	December 2014
C/CAG Committees Review Selection Panel Recommendations	January 2015
C/CAG Board Approval	February 2015

*All dates are tentative contingent on MTC and FHWA approval

The C/CAG CMEQ Committee and TAC reviewed and recommended approval of the program guidelines and application during their meetings in September. The CMEQ Committee provided suggestions about the scoring criteria that have since been incorporated into the guidelines and call for projects.

ATTACHMENTS

- PDA Parking Policy Technical Assistance Program Guidelines
- PDA Parking Policy Technical Assistance Program Application

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

C/CAG Priority Development Area (PDA) Parking Policy Technical Assistance Program Guidelines

Program Goals

The C/CAG PDA Parking Policy Technical Assistance Program is part of a regional initiative to finance planning in areas of the region that are designated as PDAs through the Association of Bay Area Governments (ABAG). PDAs are locally-identified areas near existing or planned transit service that are planning to accommodate the majority of the region's projected growth in housing and jobs over the next three decades. These areas play an important role in the region's Sustainable Communities Strategy, which seeks to coordinate future land uses with transportation investments to reduce greenhouse gas emissions.

Parking policies can play a key role in supporting the local vision for growth and development in the PDAs in San Mateo County. Recent studies sponsored by the Grand Boulevard Initiative (GBI) and the Metropolitan Transportation Commission (MTC) suggest that excessive on-site parking requirements can reduce the feasibility of infill development and increase housing costs.¹ These studies recommend the development and implementation of new parking management strategies to raise revenues for improvements in PDAs, manage traffic congestion, and/or encourage alternative modes of transportation. Such strategies include, but are not limited to:

- User fees;
- Parking credits, impact, or in-lieu fees;
- Reduced parking ratios;
- Shared parking;
- Residential permit parking programs;
- Signage and real-time parking information; and
- Transportation Demand Management (TDM) programs.

The C/CAG PDA Parking Policy Technical Assistance Program will provide consultant support to project sponsors to complete planning projects that facilitate the implementation of parking management strategies supportive of the local vision for growth and development in PDAs in the county. The consultant(s), which will be selected and assigned to projects by C/CAG in coordination with project sponsors, will perform work directly for project sponsors; however, C/CAG will assume all contract administration responsibilities, i.e. approving consultant invoices and monitoring project budgets, scopes, and schedules.

Project sponsors will be expected to lead project outreach efforts, provide technical oversight,

¹ Recent GBI reports include the "Removing Barriers to Implementation: Economic & Housing Opportunities (ECHO) Phase II Final Report" and the "GBI Infrastructure Needs Assessment and Financing Strategies Final Report". MTC has also developed a number of technical resources in support of parking policy reform across the region: http://www.mtc.ca.gov/planning/smart_growth/parking/.

review consultant deliverables, attend project meetings, provide data as necessary, and coordinate with C/CAG staff on contract administration. Project sponsors and/or consultants may be required to prepare a short presentation for C/CAG advisory committees and/or the C/CAG Board of Directors as a way to share knowledge and experience.

Eligible Applicants

Given that parking policies are largely managed by local jurisdictions with land use authority, only local governments (cities, towns, and the county) in San Mateo County are eligible applicants for technical assistance through the program. Transit agencies that serve PDAs, such as the San Mateo County Transit District (SamTrans), Bay Area Rapid Transit (BART), and the Peninsula Corridor Joint Powers Board (JPB), must partner with local governments. Applicants are encouraged to involve local non-profit groups and community-based organizations. Multiple jurisdictional planning projects are also encouraged.

Eligible Project Locations

Areas approved as planned or potential PDAs in San Mateo County through ABAG. For a list of eligible PDAs, see Attachment 1: San Mateo County Priority Development Areas.

Eligible Activities

The C/CAG PDA Parking Policy Technical Assistance Program is part of a larger regional initiative to finance planning projects in areas of the region that are designated as PDAs. Therefore, only planning projects that directly support PDAs in San Mateo County are eligible for technical assistance. Design/construction activities are ineligible.

Potential activities include the preparation of parking management plans, zoning code updates, technical studies and analyses, and parking policy implementation plans. Projects that consider innovative approaches to addressing parking problems and/or incorporate active transportation elements (i.e. bicycle parking and access, etc.) are encouraged. Additionally, projects capable of demonstrating significant impact and early implementation will receive additional points during the scoring process. Other activities not specifically described in this section but consistent with the overall program goals and other funding requirements may be considered on a case-by-case basis.

Funding Details

There is a total of approximately \$342,000 available. Given that federal Surface Transportation Program (STP) funds are the source of funding for this program, all projects must meet STP funding eligibility requirements and demonstrate a transportation nexus. A local cash match is not required for program eligibility; however, applicants that demonstrate a commitment of local staff and resources to the project will receive additional points during the scoring process. There is no minimum or maximum grant size.

All projects selected for the program will have a final project scope, budget, and schedule that will be agreed upon by the project sponsor, consultant, and C/CAG. C/CAG will require regular progress reports and carefully track the project scope, schedule and budget. Any exceptions to the agreed upon scope, schedule, or budget will require C/CAG staff approval.

Evaluation Criteria

The proposed project screening and evaluation criteria for the program are described below.

C/CAG PDA Planning Program Evaluation Criteria	Max Points
Screening Criteria	
1. Project Location. Project directly supports a PDA in San Mateo County.	Required
2. Eligible Activity. Project is a planning activity.	Required
Project Evaluation Criteria	
1. Location within a Community of Concern. Project is located within or serves a Community of Concern as defined by MTC's Lifeline Transportation Program. See http://www.mtc.ca.gov/planning/snapshot/0_COC_Reference_Map_11_17.pdf .	5
2. Project Impact. Project facilitates the implementation of parking management strategies that are supportive of the local vision for growth in the PDA. Project addresses existing or future parking, congestion, and/or access issues that are a significant concern to the local community. Project considers innovative approaches to addressing parking problems and/or incorporates active transportation elements. Project supports implementation of new parking policies and programs in the near-term.	25
3. Project Approach/Scope of Work and Timeline. Project has a well-defined scope of work identifying the key goals and objectives and a detailed timeline describing the expected tasks and deliverables.	20
4. Commitment of Local Staff and Resources to Project. Project sponsor dedicates staff time and resources to the project and demonstrates a commitment to supporting the project and coordinating with C/CAG on contract administration.	10
5. Existing Policies and Related Accomplishments. Jurisdiction has completed a long-term plan for the PDA in which the project is located and/or accomplished related plans and projects that support the project. Additionally, the jurisdiction demonstrates a commitment to a future vision for growth and development in the PDA through existing policies and plans, such as supportive zoning regulations and general plan policies, transportation demand management strategies, affordable housing policies, sustainability policies, etc.	20
6. Support. Project demonstrates support from local city council(s), major property owner(s), neighborhood association(s), and relevant transit operator(s) (i.e., public involvement to date, letters of support). Project includes components that involve the local community in the planning process.	10
7. Commitment to Implementation. Project sponsor has a commitment to and a clear approach and timeframe for plan or project implementation once planning efforts and/or studies are completed.	10

Application Submission

Applicants must submit 5 bound copies and 1 unbound copy of the completed application along with all of the required materials. All applications must be received at the C/CAG office by **Monday, December 1, 2014 at 5:00 pm**. A workshop for prospective applicants will be held by C/CAG staff in late October.

Please submit applications to:

Wally Abrazaldo
C/CAG
555 County Center, 5th Floor
Redwood City, CA 94063

C/CAG PDA Parking Policy Technical Assistance Program Schedule

Event	Date*
Call for Projects Issued	October 10, 2014
Application Workshops	Late October 2014
Applications Due	December 1, 2014
Selection Panel Reviews Applications	December 2014
C/CAG Committees Review Selection Panel Recommendations	January 2015
C/CAG Board Approval	February 2015

*All dates are tentative contingent on MTC and FHWA approval

After projects are awarded, C/CAG will work with project sponsors to select the appropriate consultant or consultant team and finalize the project scope, budget, and schedule.

If the program remains undersubscribed after the application deadline and/or the awarding of projects, project applications will be accepted on a rolling basis until program funds are depleted.

For any questions regarding the program or application process please contact Wally Abrazaldo at 650-599-1455 or wabrazaldo@smcgov.org.

C/CAG Priority Development Area (PDA) Parking Policy Technical Assistance Program Application

Section 1: General Project Information

General Project Information

Sponsor Agency:	<input type="text"/>
Implementing Agency:	<input type="text"/>
Project Title:	<input type="text"/>
Amount of Technical Support Requested (\$):	<input type="text"/>

Project Manager

Name:	<input type="text"/>
Title:	<input type="text"/>
Agency:	<input type="text"/>
Phone Number:	<input type="text"/>
E-mail Address:	<input type="text"/>

Section 2: Project Description and Narrative

Project Location

Name of PDA:	<input type="text"/>
Description of project location and boundaries: (also attach map showing relevant transportation and land use information)	<input type="text"/>

Does the project area fall within or serve a Community of Concern (CoC) as defined by the MTC Lifeline Program?

- ☐ Yes
☐ No

See http://www.mtc.ca.gov/planning/snapshot/0_COC_Reference_Map_11_17.pdf.

Parking Management Policies/Strategies Addressed by Project (check all that apply)

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> User fees | <input type="checkbox"/> Signage and real-time parking information |
| <input type="checkbox"/> Parking credits, impact, or in-lieu fees | <input type="checkbox"/> Transportation Demand Management programs |
| <input type="checkbox"/> Reduced parking ratios | <input type="checkbox"/> Other (describe in more detail in Project Narrative) |
| <input type="checkbox"/> Shared parking | |
| <input type="checkbox"/> Residential permit parking programs | |

Project Narrative

Describe how the project is consistent with the goals of the program and aligns with the vision for growth and development in the PDA. Explain how the project will address existing or future parking, congestion, and/or access issues in the area. Describe how the project incorporates innovative approaches to addressing parking problems and/or active transportation elements.

Describe the project approach and scope of work, including a preliminary budget. Provide a timeline that shows the major tasks and expected deliverables. Include attachments as necessary.

Describe the amount of local staff time and resources that will be allocated to the project.

Section 3: Existing Policies and Community Support

Existing Policies and Related Accomplishments

Has a long-term planning effort (specific plan, precise plan, area plan, etc.) for the PDA been completed within the last 10 years?

☐ Yes – Please attach list of individual planning efforts and date completed.

☐ No

Have any related projects or plans supporting the project recently been completed?

☐ Yes – Please attach list of related projects that have recently been accomplished.

☐ No

Describe existing policies and plans or recently completed projects in the jurisdiction that demonstrate a commitment to a future vision for growth and development in the PDA. Explain how the project builds upon or complements these existing policies and plans.

Support and Commitment to Implementation

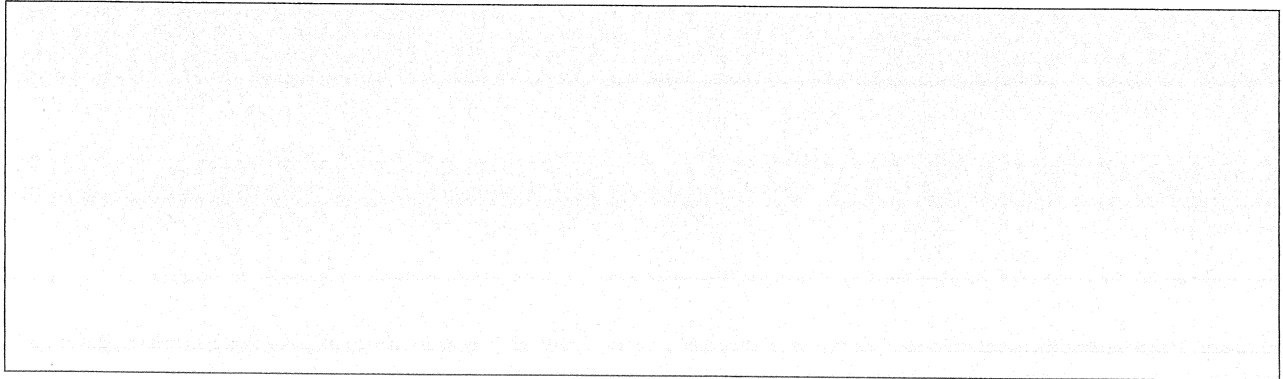
Does this project have local community support or processes for local community involvement?

☐ Yes – Attach any supporting documentation (e.g. letters of support from local city council, major property owners, neighborhood associations, transit operators, etc.)

☐ No

If yes, please describe the community involvement and/or evidence of local support.

Describe the proposed approach and timeframe for project implementation once planning and/or studies have been completed.



C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors **ITEM 6.2.2**

From: Sandy Wong, Executive Director

Subject: Review and approval of Resolution 14-46 authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds not to exceed \$40,000 and stating the assurance to complete the project

(For further information or response to questions, contact Wally Abrazaldo at 650-599-1455)

RECOMMENDATION

That the C/CAG Board of Directors review and approve Resolution 14-46 authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds not to exceed \$40,000 and stating the assurance to complete the project.

FISCAL IMPACT

C/CAG would provide an amount not to exceed \$40,000 as local match for the \$302,000 in local Priority Development Area (PDA) planning funds made available by the Metropolitan Transportation Commission (MTC).

SOURCE OF FUNDS

The Congestion Relief Plan Fund is the source of funding for the \$40,000 in local match funds.

BACKGROUND

As described in the companion agenda report for the C/CAG PDA Parking Policy Technical Assistance Program, staff propose to direct \$302,000 in PDA planning funds to the C/CAG PDA Parking Policy Technical Assistance Program. Federal Surface Transportation Program (STP) funds are the funding source of the PDA planning funds made available by MTC. These funds require a minimum 11.47% local match. Staff propose to contribute up to \$40,000 in C/CAG Congestion Relief Plan Funds to provide the required local match for the \$302,000 in Local PDA Planning funds.

Prior to the programming of STP funding to any project, MTC requires that the project sponsor adopt and submit a resolution of local support. Resolution 14-46 utilizes the language required by MTC for the resolution of local support.

ATTACHMENTS

- Resolution 14-46

RESOLUTION 14-46

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS NOT TO EXCEED \$40,000 AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG); that,

WHEREAS, the City/County Association of Governments of San Mateo County (C/CAG) (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$302,000 in funding assigned to MTC for programming discretion, including but not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the C/CAG Priority Development Area (PDA) Parking Policy Technical Assistance Program (herein referred to as PROJECT) for the Local PDA Planning Program (herein referred to as PROGRAM); and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, state statutes, including California Streets and Highways Code 182.6 and 182.7 provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of federal funds; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1. the commitment of any required matching funds; and
2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
3. that the project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. the assurance of the sponsor to complete the project as described in the application, subject to

environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and

5. that the project will comply with all project-specific requirements as set forth in the PROGRAM; and
6. that the project (transit only) will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW THEREFORE BE IT RESOLVED, that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued funding; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide any required matching funds; and
2. APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by APPLICANT; and
4. PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and
6. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's federal TIP.

PASSED, APPROVED, AND ADOPTED, THIS 9TH DAY OF OCTOBER 2014.

Mary Ann Nihart, Chair

C/CAG Legal Counsel

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 6.3.1

From: Sandy Wong, Executive Director

Subject: Approval of Resolution 14-47 adopting the Negative Declaration for the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

RECOMMENDATION

That the C/CAG Board of Directors review and approve Resolution 14-47 adopting the Negative Declaration for the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport.

FISCAL IMPACT

Funding for the preparation of the proposed Negative Declaration and Initial Study for the ALUCP for the environs of Half Moon Bay Airport has been included in the adopted C/CAG Budget.

SOURCE OF FUNDS

The source of funds is the C/CAG general fund. C/CAG has received a grant for up to \$135,000 from the Caltrans Division of Aeronautics for both the Airport Land Use Compatibility Plan and associated environmental work on the Initial Study and proposed Negative Declaration. The County of San Mateo has also agreed to provide \$50,000 for this project.

BACKGROUND

The purpose of an airport land use compatibility plan (ALUCP) is to protect the public from the adverse effects of airport noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure that no structures or activities encroach upon or adversely affect the navigable airspace in the vicinity of the airport. Through appropriate policy implementation, the overall goal is to protect the public investment in the airport as a safe and viable element of the national air transportation system. Airport compatible land uses are generally defined as follows:

“Airport-compatible land uses are those uses that can coexist with a nearby airport without either constraining the safe and efficient operation of the airport or exposing people living or working nearby to unacceptable levels of noise or hazards. Compatibility concerns include any impact that adversely affects the livability of surrounding communities, as well as any community characteristic that can adversely affect the viability of an airport.”(source: American Planning Association Planning Advisory Service Report No. 562, *Planners and Planes: Airports and Land-Use Compatibility* November 2010.

DISCUSSION

The C/CAG Board is the Lead Agency for the preparation of the environmental documents related to the Airport Land Use Compatibility Plan (ALUCP) for the Environs of Half Moon Bay Airport. The

environmental review process includes the preparation of an Initial Study (IS) to determine the appropriate level of environmental review (i.e. a negative declaration (ND) or a draft environmental impacts report (DEIR)) related to a proposed action (plan or project).

An Initial Study (IS) is a preliminary analysis prepared to determine if the project will have a significant effect(s) on the environment. It also contains information that supports a conclusion that the project will not have a significant effect(s) on the environment or that the potential impacts can be mitigated to a “less than significant” or “no impact” level. If there is no substantial evidence that the project may have a significant effect(s) on the environment, the Lead Agency shall prepare a proposed Negative Declaration (ND).

An Initial Study (IS) was prepared for this ALUCP. The IS document contains an Environmental Checklist for assessing potential environmental impacts of the proposed project (plan). A brief explanation is provided for all responses contained in the Checklist, including supportive documentation for those responses identified as “No Impact or “Less than Significant Impact.” As a result of a 2007 California Supreme Court decision (*Muzzy Ranch Co.*) the IS document also includes a displacement analysis to analyze the potential for future development within the Airport Influence Area (AIA) boundary to move elsewhere based on implementation of the ALUCP land use compatibility policies. The displacement analysis determined that implementation of the ALUCP update is not expected to result in displacement of future residential and non-residential development. Based on analysis undertaken to fill out the Checklist, the proposed ALUCP update is not expected to result in any potentially significant environmental impacts and no mitigation is necessary.

A Negative Declaration (ND) is a document prepared by the Lead Agency pursuant to the analysis in the Initial Study that states the proposed action will not have a significant effect(s) on the environment. A proposed Negative Declaration was prepared for the ALUCP for the Environs of Half Moon Bay Airport as a result of the analysis in the Initial Study.

The proposed Negative Declaration and Initial Study for the ALUCP for the Environs of Half Moon Bay Airport (state-mandated countywide plan) has been made available for public comment. Hard copies of the document were made available at the C/CAG office, the Half Moon Bay Library as well as at the Midcoast Community Council meeting location which is at the Granada Sanitary District in El Granada on the San Mateo County coast. The proposed Negative Declaration and Initial Study document was also made available through the C/CAG website (www.ccag.ca.gov/) as well as the project website (<http://halfmoonbayalucp.airportstudy.com/alucp/>). At the C/CAG Board meeting on June 12, 2014 the Board approved of the distribution and publication of a “Notice of Intent to Adopt a Negative Declaration”. Staff published a legal notice on the availability of the document in the San Mateo County Times as well as the Half Moon Bay Review. Additionally the notice was sent to potential stakeholders and over 300 property owners around the airport. The legal notice announced the availability of the document for public review and comment and provided for a 30 day review period from June 23- July 23, 2014.

As a result of making some changes to respond to comments, staff published a second legal notice on the availability of the document in the San Mateo County Times as well as the Half Moon Bay Review. The second notice was also sent to potential stakeholders and over 300 property owners around the airport. The legal notice announced the availability of the document for public review and comment and provided for a 22 day review period from August 20 - September 10, 2014.

Staff received comment letters during the initial comment period on the proposed Negative Declaration and Initial Study. Those comment letters were presented to the Airport Land Use Committee (ALUC) at the July 31, 2014 meeting. Staff incorporated changes as appropriate to the proposed Negative

Declaration for the ALUCP for the Environs of Half Moon Bay Airport. No comment letters were received during the second comment period.

Public hearings were held at the July 31, 2014 ALUC meeting and at the August 14, 2014 C/CAG Board of Directors meeting. Responses to the written comments as well as comments received at the public hearings were prepared and were posted to the ALUCP project website which is available through the C/CAG website.

The C/CAG Airport Land Use Committee (ALUC) received a final presentation on the Initial Study and Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport by the project consultant at the September 25, 2014 ALUC meeting. At the September 25th ALUC meeting the ALUC approved a recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the Initial Study and Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport.

ATTACHMENTS

1. Resolution 14-47
2. ALUCP Negative Declaration and Initial Study (copy provided to Board members only, for other interested parties available at <http://halfmoonbayalucp.airportstudy.com/alucp-initial-study/>)
3. Revised Figure 3 from Initial Study and Negative Declaration (legend change only - Urban Rural Boundary)
4. Responses to comments from written comments and the public hearing (available at <http://halfmoonbayalucp.airportstudy.com/alucp/>)

RESOLUTION 14-47

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY ADOPTING THE NEGATIVE DECLARATION FOR THE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF HALF MOON BAY AIRPORT

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that,

WHEREAS, the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG) has been designated as the Airport Land Use Commission for the public use airports in San Mateo County; and

WHEREAS, C/CAG, in its role as the Airport Land Use Commission, is required to prepare and adopt an airport land use compatibility plan (ALUCP) for each public use airport and the areas surrounding such airport within San Mateo County, to provide for the orderly growth of the airport and safeguard the general welfare of the public (Public Utilities Code §§21674(c) and 21675(a)); and

WHEREAS, ALUCPs are the fundamental tool used by airport land use commissions in fulfilling their purpose of promoting airport land use compatibility; and

WHEREAS, the Airport Land Use Commission is required to be guided by information in the *California Airport Land Use Planning Handbook*, State of California, Department of Transportation, Division of Aeronautics (*Caltrans Handbook*, latest edition published in October 2011) in preparing ALUCPs (Public Utilities Code §21674.7(a)); and

WHEREAS, in December 1996, C/CAG adopted the *San Mateo County Comprehensive Airport Land Use Plan* (CLUP) for Half Moon Bay Airport, San Carlos Airport, and San Francisco International Airport; and

WHEREAS, following extensive coordination among C/CAG staff, the C/CAG Airport Land Use Committee, local municipalities, and Half Moon Bay Airport staff, C/CAG has prepared an ALUCP for the Half Moon Bay Airport that is consistent with the overall objectives of the State Aeronautics Act and generally consistent with the guidance provided by the *Caltrans Handbook*; and

WHEREAS, the Initial Study prepared to evaluate the potential environmental impacts of the proposed ALUCP for the Environs of Half Moon Bay Airport showed that there is no substantial evidence, in light of the whole record, that the proposed ALUCP may have a significant effect on the environment; and

WHEREAS, based on the Initial Study and consistent with the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations Title 14 §§ 15000 *et seq.*), a proposed Negative Declaration was prepared to document the reasons in support of the finding that the proposed ALUCP would not have a significant effect on the

environment; and

WHEREAS, in accordance with CEQA and the CEQA Guidelines, C/CAG prepared a Notice of Intent (NOI) to Adopt a Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport, which provided notice (i) of C/CAG's intent to adopt a Negative Declaration for the proposed ALUCP, (ii) that C/CAG would receive public comments for a 30-day period, beginning on June 23, 2014 and concluding on July 23, 2014, and (iii) of the locations where copies of the Initial Study and Negative Declaration were available for review, including C/CAG's website, C/CAG's office, the Half Moon Bay Public Library, and the Midcoast Community Council's office at the Granada Sanitary District; and

WHEREAS, on June 20, 2014, C/CAG transmitted copies of the NOI to interested individuals, organizations, agencies, and the affected land use jurisdictions (*i.e.* County of San Mateo and City of Half Moon Bay); and

WHEREAS, on June 23, 24, and 25, 2014, C/CAG published a copy of the NOI in the San Mateo County Times; and

WHEREAS, on June 25, 2014, C/CAG published a copy of the NOI in the Half Moon Bay Review; and

WHEREAS, C/CAG provided an opportunity for public comment on the proposed Initial Study and Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport for 30 days, beginning on June 23, 2014 and concluding on July 23, 2014; and

WHEREAS, C/CAG received comments on the Initial Study and proposed Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport from local agencies and the general public; and

WHEREAS, C/CAG prepared written responses to all comments received on the Initial Study and proposed Negative Declaration during the comment period; and

WHEREAS, on August 19, 2014, C/CAG made available for public review (i) minor revisions to the Initial Study and proposed Negative Declaration (as necessitated by or in response to comments received); (ii) comments received during the public comment period; and (iii) responses to public comments on the Initial Study and proposed Negative Declaration; and

WHEREAS, on August 20, 2014, C/CAG published a copy of the NOI in the San Mateo County Times; and

WHEREAS, on August 20, 2014, C/CAG published a copy of the NOI in the Half Moon Bay Review; and

WHEREAS, C/CAG provided an opportunity for additional public comment on the proposed Initial Study and Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport for 22 days, beginning on August 20, 2014 and concluding on September 10, 2014; and

WHEREAS, C/CAG held duly noticed public hearings on July 31, 2014 and August 14, 2014 to receive and consider public testimony with respect to the proposed ALUCP for the Environs of Half Moon Bay Airport and the completeness and adequacy of the Initial Study and proposed Negative Declaration for the proposed ALUCP; and

WHEREAS, C/CAG has reviewed the CEQA documentation for the ALUCP for the Environs of Half Moon Bay Airport, and, using its independent judgment and analysis, has determined that, on the basis of the whole record before it, there is no substantial evidence that the proposed ALUCP may have a significant impact on the environment.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors that the Board, acting as the Airport Land Use Commission for San Mateo County, finds that:

(i) The Initial Study and Negative Declaration have been prepared and completed in compliance with CEQA; and

(ii) On the basis of the whole record before it, that there is no substantial evidence that the ALUCP for the Environs of Half Moon Bay Airport may have a significant effect on the environment; and

(iii) No substantial evidence has been presented which would call into question the facts and conclusions in the Initial Study and Negative Declaration or require that the Initial Study and/or Negative Declaration be reexamined; and

(iv) Significant new information has not been added to the Initial Study and Negative Declaration since circulation of the draft Initial Study and Negative Declaration such that recirculation for additional public review is necessary; and

(v) The Negative Declaration reflects C/CAG's independent review, judgment and analysis; and

(vi) The Negative Declaration serves as adequate, complete and appropriate environmental documentation for the ALUCP for the Environs of Half Moon Bay Airport; and

BE IT FURTHER RESOLVED that this Board, acting as the Airport Land Use Commission for San Mateo County, adopts the Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport, as described in this Resolution and in the companion Resolution for ALUCP adoption (Resolution No. 14-48), and further directs prompt filing of a Notice of Determination for the ALUCP for the Environs of Half Moon Bay Airport; and

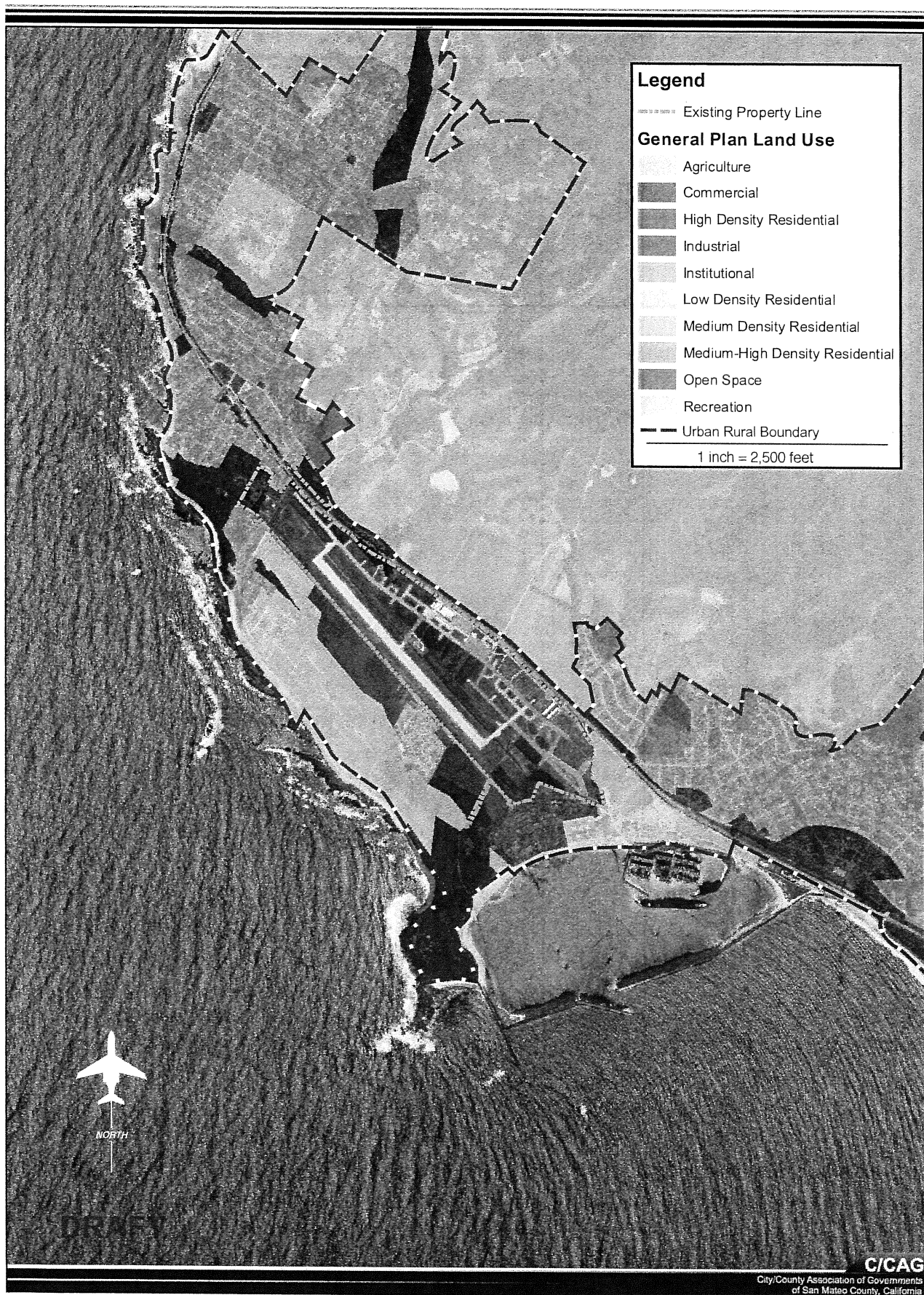
BE IT FURTHER RESOLVED that this Board action is not a "development" as defined by the California Coastal Act, Public Resources Code § 30106.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ACTING IN ITS CAPACITY AS THE AIRPORT LAND USE COMMISSION FOR SAN MATEO COUNTY, THIS 9TH DAY OF OCTOBER 2014.

Mary Ann Nihart, Chair

Approved as to form:

Nirit Eriksson, C/CAG Legal Counsel



Source: San Mateo County Information Services Department; County of San Mateo Local Coastal Program Policies, June 2013

Figure 3
GENERAL PLAN/
LOCAL COASTAL PROGRAM

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 6.3.2

From: Sandy Wong, Executive Director

Subject: Approval of Resolution 14-48 adopting the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport (Special Voting Procedures Apply)

(For further information or response to questions, contact Tom Madalena at 650-599-1460)

RECOMMENDATION

That the C/CAG Board of Directors review and approve resolution 14-48 adopting the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport.

FISCAL IMPACT

Funding for the preparation of the ALUCP for the Environs of Half Moon Bay Airport has been included in the adopted C/CAG Budget.

SOURCE OF FUNDS

The source of funds is the C/CAG general fund. C/CAG has received a grant for up to \$135,000 from the Caltrans Division of Aeronautics for both the Airport Land Use Compatibility Plan and associated environmental work on the Initial Study and proposed Negative Declaration. The County of San Mateo has also agreed to provide \$50,000 for this project.

BACKGROUND

The purpose of an airport land use compatibility plan (ALUCP) is to protect the public from the adverse effects of airport noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure that no structures or activities encroach upon or adversely affect the navigable airspace in the vicinity of the airport. Through appropriate policy implementation the ALUCP protects the public investment in the airport as a safe and viable element of the national air transportation system. Airport compatible land uses are generally defined as follows:

“Airport-compatible land uses are those uses that can coexist with a nearby airport without either constraining the safe and efficient operation of the airport or exposing people living or working nearby to unacceptable levels of noise or hazards. Compatibility concerns include any impact that adversely affects the livability of surrounding communities, as well as any community characteristic that can adversely affect the viability of an airport.”(source: American Planning Association Planning Advisory Service Report No. 562, *Planners and Planes: Airports and Land-Use Compatibility* November 2010.

DISCUSSION

The Draft Final Airport Land Use Compatibility Plan (ALUCP) Update for the Environs of Half Moon

Bay Airport (state-mandated countywide plan) has been made available for public comment. Hard copies of the document were made available at the C/CAG office, the Half Moon Bay Library as well as at the Midcoast Community Council meeting location which is at the Granada Sanitary District in El Granada on the San Mateo County coast. The Draft Final document was also made available through the C/CAG website (www.ccag.ca.gov/) as well as the project website (<http://halfmoonbayalucp.airportstudy.com/alucp/>). At the C/CAG Board meeting on June 12, 2014 the Board approved of the distribution and publication of a “Notice of Intent to Adopt a Negative Declaration”. Staff published a legal notice on the availability of the document in the San Mateo County Times as well as the Half Moon Bay Review. The legal notice announced the availability of the document for public review and comment and provided for a 30 day review period from June 23-July 23, 2014. Additionally the notice was sent to potential stakeholders and over 300 property owners around the airport.

As a result of making some changes to respond to comments, staff published a second legal notice on the availability of the document in the San Mateo County Times as well as the Half Moon Bay Review. The second notice was also sent to potential stakeholders and over 300 property owners around the airport. The legal notice announced the availability of the document for public review and comment and provided for a 22 day review period from August 20 - September 10, 2014.

Public hearings were held at the July 31, 2014 Airport Land Use Committee (ALUC) meeting and at the August 14, 2014 C/CAG Board of Directors meeting.

The ALUCP promotes airport compatible land use planning within a defined airport influence area (AIA) via policy implementation to address aircraft noise impacts, runway end safety criteria (i.e. density and intensity of land uses), and height of structures/airspace protection. The size, character, and design of the airport influences the scope and applicability of the airport land use compatibility criteria.

The Draft Final ALUCP for the Environs of Half Moon Bay Airport was prepared with reference to and is consistent with the guidance provided by the Caltrans Division of Aeronautics in the 2011 version of the *California Airport Land Use Planning Handbook* per PUC Sections 21674.5 and 21674.7 and other relevant state and federal statutes and regulations. The document consists of four chapters and several appendices. Chapter One includes an overview and outlines the ALUCP purpose and scope. The remaining three chapters provide the following information: all applicable land use policies and plans in the Half Moon Bay Airport environs, baseline information about Half Moon Bay Airport, including an overview of the airport and its operations, and policies and criteria to address aircraft noise, runway end safety zones, and height of structures/airspace protection. Several appendices are included in the draft document to supplement the analysis presented in the ALUCP and provide implementation materials for use by C/CAG staff and local planning agencies to achieve the land use compatibility goals of the Plan.

State law requires an airport land use commission to base an ALUCP on an airport master plan or the most current FAA-approved Airport Layout Plan (ALP) for the subject airport. The Draft Final ALUCP is based on the 2013 ALP and Narrative Report for Half Moon Bay Airport that were prepared for the County of San Mateo Department of Public Works Airport Division.

Staff received comment letters during the initial comment period on the ALUCP for the Environs of Half Moon Bay Airport. Those comment letters were presented to the ALUC at the July 31, 2014 meeting. Staff incorporated changes as appropriate to the ALUCP for the Environs of Half Moon Bay Airport. No comment letters were received during the second comment period.

In accordance with the C/CAG Bylaws, the ALUCP for the Environs of Half Moon Bay Airport was introduced to the Board at the August 14, 2014 Board of Directors meeting.

The C/CAG Airport Land Use Committee (ALUC) received a final presentation on the ALUCP for the Environs of Half Moon Bay Airport by the project consultant at the September 25, 2014 ALUC meeting. At the September 25th ALUC meeting the ALUC approved a recommendation to the C/CAG Board (Airport Land Use Commission) for adoption of the ALUCP for the Environs of Half Moon Bay Airport.

ATTACHMENTS

1. Resolution 14-48
2. Final ALUCP for the Environs of Half Moon Bay Airport (copy provided to Board members only, for other interested parties available at <http://halfmoonbayalucp.airportstudy.com/alucp/>)
3. Relevant pages revised in ALUCP Chapter One, Revised August 8, 2014
4. Relevant pages revised in ALUCP Chapter Two, Revised August 19, 2014
5. Relevant pages revised in ALUCP Chapter Four, Revised August 8, 2014
6. Relevant pages revised in ALUCP Appendix D, Revised August 8, 2014
7. Responses to comments from written comments and the public hearing (available at <http://halfmoonbayalucp.airportstudy.com/alucp/>)

RESOLUTION 14-48

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ADOPTING THE AIRPORT LAND USE COMPATIBILITY PLAN FOR THE ENVIRONS OF HALF MOON BAY AIRPORT

RESOLVED, by the Board of Directors of the City/County Association of Governments of San Mateo County (C/CAG), that,

WHEREAS, the Board of the City/County Association of Governments of San Mateo County (C/CAG) has been designated as the Airport Land Use Commission for the public use airports in San Mateo County; and

WHEREAS, C/CAG, in its role as the Airport Land Use Commission, is required to prepare and adopt an airport land use compatibility plan (ALUCP) for each public use airport within San Mateo County to provide for the orderly growth of the airport and safeguard the general welfare of the public (Public Utilities Code §§21674(c) and 21675(a)); and

WHEREAS, ALUCPs are the fundamental tool used by airport land use commissions in fulfilling their purpose of promoting airport land use compatibility; and

WHEREAS, the ALUC is required to be guided by information in the *California Airport Land Use Planning Handbook*, State of California, Department of Transportation, Division of Aeronautics (*Caltrans Handbook*, latest edition published in October 2011) in preparing ALUCPs (Public Utilities Code §21674.7(a)); and

WHEREAS, in December 1996, C/CAG adopted the *San Mateo County Comprehensive Airport Land Use Plan* (CLUP) for Half Moon Bay Airport, San Carlos Airport, and San Francisco International Airport; and

WHEREAS, following extensive coordination among C/CAG staff, the C/CAG Airport Land Use Committee, local municipalities, and Half Moon Bay Airport staff, C/CAG has prepared an ALUCP for the Environs of Half Moon Bay Airport that is consistent with the overall objectives of the State Aeronautics Act and generally consistent with the guidance provided by the *Caltrans Handbook*; and

WHEREAS, to the extent that the policies in the ALUCP for the Environs of Half Moon Bay Airport deviate from the guidance provided in the *Caltrans Handbook*, the policies remain consistent with the purposes of the State Aeronautics Act by:

(i) providing for the orderly development of Half Moon Bay Airport by considering the long range development plans for the Airport over the next 20 years;

(ii) providing for the orderly development of the area surrounding Half Moon Bay Airport so as to promote the overall goals and objectives of the California airport

noise standards by maintaining land use compatibility policies that are consistent with the state's noise standards;

(iii) providing for the orderly development of the area surrounding Half Moon Bay Airport so as to prevent the creation of new noise and safety problems and ensuring that the land use compatibility policies fall within the level of acceptable risk considered to be a community norm in the environs of the Airport;

(iv) protecting the public health, safety, and welfare by ensuring the orderly expansion of Half Moon Bay Airport;

(v) protecting the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and

WHEREAS, C/CAG provided an opportunity for public comment on the proposed ALUCP for the Environs of Half Moon Bay Airport for 30 days, beginning on June 23, 2014 and concluding on July 23, 2014; and

WHEREAS, C/CAG provided an opportunity for additional public comment on the revisions to the proposed ALUCP, as necessitated by or in response to comments received for 22 days, beginning on August 20, 2014 and concluding on September 10, 2014; and

WHEREAS, C/CAG provided notice of the opportunity to comment on the proposed ALUCP to interested individuals, organizations, agencies, and the affected land use jurisdictions (*i.e.* County of San Mateo and City of Half Moon Bay); and

WHEREAS, C/CAG received comments on the proposed ALUCP from the Caltrans Division of Aeronautics, local agencies, and the general public; and

WHEREAS, C/CAG prepared written responses to all comments received on the proposed ALUCP during the comment periods; and

WHEREAS, C/CAG, the lead agency for the proposed ALUCP for the Environs of Half Moon Bay Airport, also prepared and circulated an Initial Study and proposed Negative Declaration for the ALUCP for the Environs of Half Moon Bay Airport in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000 *et seq.*), and the CEQA Guidelines (California Code of Regulations Title 14 §§15000 *et seq.*); and

WHEREAS, C/CAG held duly noticed public hearings on July 31, 2014 and on August 14, 2014 to receive and consider public testimony: (1) on the proposed ALUCP for the Environs of Half Moon Bay Airport policies; (2) on the completeness and adequacy of the Initial Study and proposed Negative Declaration; and (3) to provide further direction to C/CAG staff regarding the draft policies; and

WHEREAS, Half Moon Bay and the surrounding environs have unique and distinct characteristics that were considered by C/CAG; and

WHEREAS, C/CAG has reviewed the CEQA documentation for the ALUCP for the Environs of Half Moon Bay Airport, and, using its independent judgment and analysis, has determined that, on the basis of the whole record before it, there is no substantial evidence that the proposed ALUCP may have a significant impact on the environment; and

WHEREAS, on October 9, 2014, the C/CAG Board approved companion Resolution No. 14-47 adopting the Negative Declaration prepared for the proposed ALUCP for the Environs of Half Moon Bay Airport the basis of the findings summarized above and more extensively detailed in the companion Resolution.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors that the Board, acting as the Airport Land Use Commission for San Mateo County, approves and adopts for implementation the ALUCP for the Environs of Half Moon Bay Airport, as described in this Resolution and in the companion Resolution for the Negative Declaration (Resolution No. 14-47), to be effective immediately from the date of this Resolution; and

BE IT FURTHER RESOLVED that this Board action is not a "development" as defined by the California Coastal Act, Public Resources Code § 30106.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY (C/CAG) ACTING IN ITS CAPACITY AS THE AIRPORT LAND USE COMMISSION FOR SAN MATEO COUNTY, THIS 9TH DAY OF OCTOBER 2014.

Mary Ann Nihart, Chair

Approved as to form:

Nirit Eriksson, C/CAG Legal Counsel

airport to uses that are compatible with normal airport operations in accordance with FAA Grant Assurance 21, Compatible Land Use.

- **Noise Compatibility Studies.** 14 CFR Part 150 establishes procedures and criteria for the evaluation of airport noise-related impacts. Although the FAA may provide guidance for airport land use compatibility, it has no jurisdiction over local planning decisions.

1.3.2 State of California

The California Department of Transportation, Division of Aeronautics is responsible for funding, and permitting programs for airports and heliports. Assistance for the development and maintenance of aviation facilities through engineering and aviation experience is provided, as well as systems planning and environmental and community service programs.

The State of California grants the authority of land use regulation to local governments. This regulation is accomplished through the use of general plans and zoning ordinances. The state has also established airport noise standards, noise insulation standards, and requirements for the establishment of an ALUC. State staff may also coordinate with local agencies to encourage environmental mitigation measures intended to discourage the encroachment of incompatible land uses near airport facilities. As with the federal government, local planning decisions are at the discretion of the local jurisdiction and the state may not interfere with these decisions. ~~The state does not participate in the overrule process when local government findings are determined by an ALUC to be inconsistent with an ALUCP.~~

California State law also requires sellers of real property to disclose any fact materially affecting the value and desirability of the property. Such disclosure is required when the property is either within two miles of an airport or if it is within an Airport Influence Area (AIA). The law defines the AIA as the area where airport-related factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission. According to the State Division of Aeronautics, the AIA is usually the planning area designated by an airport land use commission for each airport. The AIA for HAF is defined in Section 1.4.2 of this chapter.

The California Noise Insulation Standards are found in California Administrative Code, Title 24, Part 6, Division T25, Chapter 1, Subchapter 1, Article 4. These standards establish uniform minimum noise insulation performance standards to protect persons within new multi-family residential structures and hotels from the effects of noise. Once these buildings are sound-insulated to the proper performance standards, they are not considered “noise impacted.” These minimum noise insulation performance standards require that the Community Noise Equivalent Level (CNEL) shall not exceed 45 dB in any habitable room, with all doors and windows closed.

1.5 ALUCP ADOPTION, IMPLEMENTATION, AND AMENDMENTS

1.5.1 ALUCP Adoption

The adoption of this ALUCP is coordinated through the C/CAG. The C/CAG is obligated to involve the affected local agencies in the adoption process by holding a public hearing on the document prior to formal adoption. As discussed in the Handbook, adoption of the ALUCP begins a statutory 180-day period within which the county and affected cities must either modify its general plan and applicable specific plans or take the steps necessary to overrule the ALUC (Government Code, Section 65302.3). The overruling process involves three four mandatory steps:

1. the local agency must provide the local Airport Land Use Commission and the California Department of Transportation, Division of Aeronautics a copy of the proposed decision and findings within 45 days prior to any decision to overrule the commission;
2. the holding of a public hearing;
3. the adoption of specific findings that the local government's plans are consistent with the purposes of the State airport compatibility statute and that they provide for the orderly development of the airport; and
4. approval of the overrule action by a two-thirds majority of the governing body of the local government

~~1) Holding a public hearing;~~

~~2) Making specific findings that the action proposed is consistent with the purposes of the ALUC statute; and~~

~~3) Approval of the proposed action by a two-thirds vote of the agency's governing body.~~

1.5.2 ALUCP Implementation

Upon adoption of the ALUCP and where local agencies have amended their general and specific plans to be consistent with the ALUCP, the following types of actions proposed within the airport influence area must be submitted to C/CAG for determination of consistency prior to approval by the local jurisdiction:

- Adoption of a general plan, specific plan, or any amendments.
- Airport and heliport plans, including master plans, expansion plans, and plans for the construction of a new facility.

1.5.3 ALUCP Amendments

The effectiveness of this document can be limited by its currency. As such, the C/CAG Board should review the document as necessary to ensure that the information and assumptions used are still appropriate for HAF.¹ It is especially important to review the plan whenever the HAF airport master plan or airport layout plan is amended. Changes in runway lengths in particular could require an amendment to the ALUCP.

The C/CAG Board should also review the ALUCP when new guidance documents are prepared by the California Department of Transportation. It is important for the ALUCP to reflect the latest information and research on aircraft noise and safety compatibility issues. It should be noted that California State law limits the amendment of the ALUCP to no more than once per calendar year (Pub. Util. Code, Section 21675 [a]).

Upon completion of a draft amendment document, the C/CAG Airport Land Use Committee refers the document to the C/CAG Board for review and adoption. The C/CAG Joint Powers Agreement requires a countywide plan, or an amendment of a countywide plan, to be introduced at a C/CAG Board meeting prior to final action on the plan or plan amendment at a subsequent C/CAG Board meeting. Therefore, it takes at least two C/CAG Board meetings to adopt an amendment to the ALUCP. The second meeting includes a public hearing to receive public input prior to final action on the amendment.

1.6 ENVIRONMENTAL REVIEW

The preparation of *California Environmental Quality Act* (CEQA) documentation when adopting or amending an ALUCP is required based upon legal precedent. A decision reached by the California Supreme Court in 2007 clarified the application of CEQA to airport land use compatibility plans (*Muzzy Ranch Co. v. Solano County Airport Land Use Commission*, 41 Cal. 4th 372, June 21, 2007, modified September 12, 2007). The court ruled that an ALUCP is a “project” subject to environmental review under CEQA. The court explained that even if subsequent action by a local land use regulatory agency is required before development projects can be authorized, an ALUCP “carries significant, binding regulatory consequences for local government...” The court noted that even if an ALUCP would not cause a direct physical change in the environment, it still might affect the environment indirectly. The court specifically discussed the possibility that adoption of land use restrictions in the vicinity of an airport could cause development that would have occurred in the airport area to shift elsewhere, potentially giving rise to an adverse effect on the environment.

According to the court, a “common sense” exemption from CEQA may be invoked by an airport land use commission “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment” The CEQA exemption may be used, however, only when the specific facts in question reveal that use of the exemption is justified.

¹ As outlined in the *Handbook*, a comprehensive review and update is recommended at least every five years.

In accordance with Public Resources Code, section 21096, the ALUCP and *Handbook* shall be utilized as technical resources to assist in the preparation of environmental documentation as the report relates to airport-related safety hazards and noise problems. Additionally, a lead agency shall not adopt a negative declaration for a development action unless the lead agency considers whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

1.7 ABOUT THIS DOCUMENT

This document includes all components of the updated ALUCP for HAF. In addition to this chapter, which outlines the ALUCP purpose and scope, the remaining three chapters provide the following information:

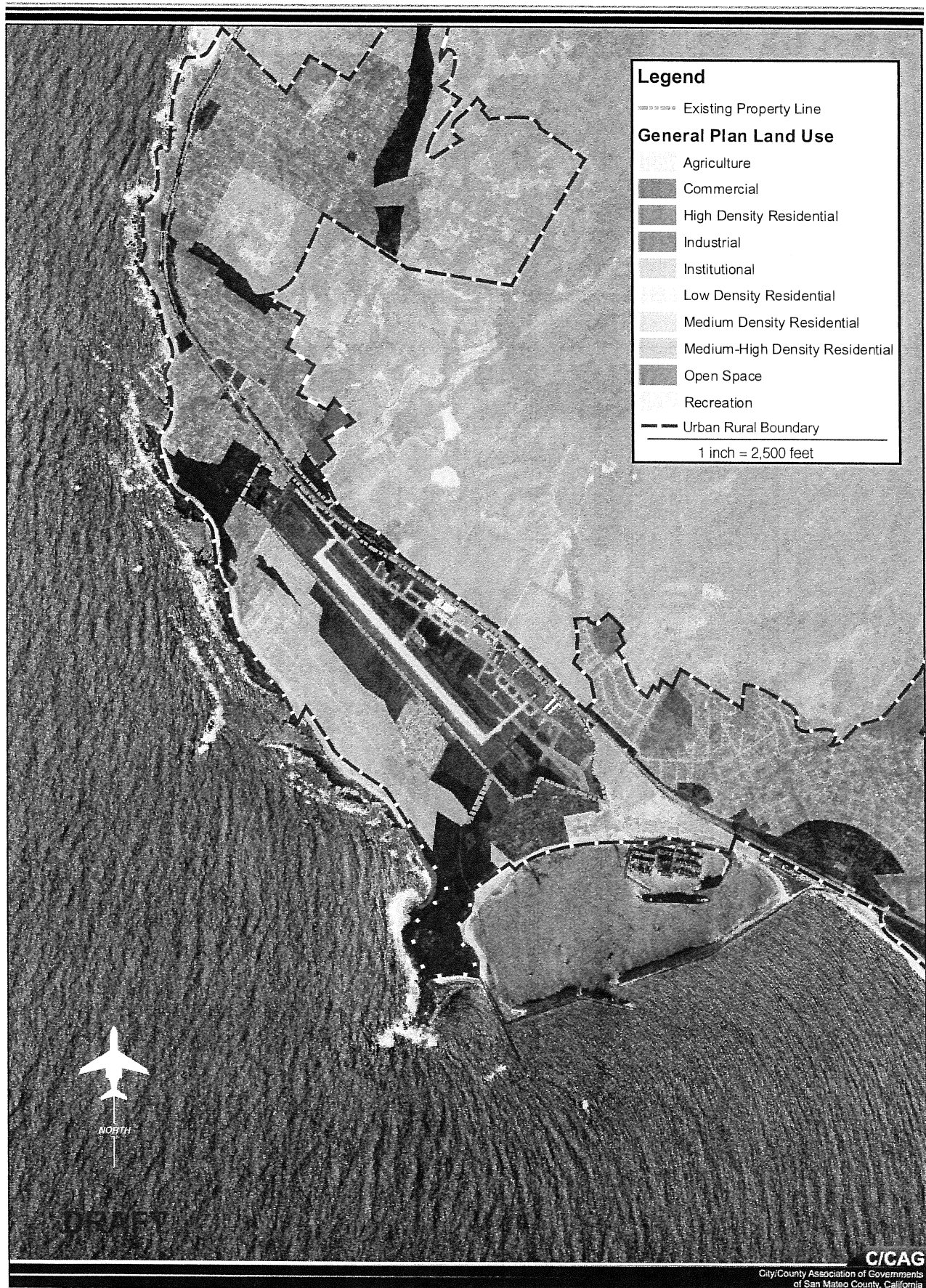
Chapter Two includes all applicable land use policies and plans in the Half Moon Bay Airport environs.

Chapter Three includes baseline information for Half Moon Bay Airport, including an overview of the airport and its operations, and noise exposure contours.

Chapter Four includes the safety, noise, and height restriction guidelines to be used when considering land use developments within the vicinity of the airport influence area boundary for Half Moon Bay Airport.

Additionally, appendices are included to supplement the analysis presented in the ALUCP. These include Airport Noise Analysis, Safety Issues and Alternatives, and Height Restriction Issues and Alternatives.

Appendices are also provided that include implementation materials for use by C/CAG staff and local planning agencies to achieve the land use compatibility goals of this plan.



Source: San Mateo County Information Services Department; County of San Mateo Local Coastal Program Policies, June 2013

Exhibit 2C
GENERAL PLAN/
LOCAL COASTAL PROGRAM

4.1.1 Compliance with State Law

The C/CAG Board, acting in its capacity as the Airport Land Use Commission for San Mateo County, and the C/CAG Airport Land Use Committee (ALUC) shall comply with the provisions in the Public Utilities Code, Chapter 4, Article 3.5 Section 21670 et seq. (airport land use commission statutes), when administering this ALUCP and the airport land use compatibility planning process in San Mateo County.

The C/CAG Board and the C/CAG ALUC also shall implement Business and Professions Code, Section 11010 (b)(13), by establishing within this ALUCP an Airport Influence Area (AIA) within which real estate disclosure of the presence of an airport shall be required.

4.1.2 Amendments to the ALUCP

The ALUCP shall be amended not more than once per calendar year, as provided in the airport land use commission statutes. The ALUCP shall be updated and amended as needed to maintain a current, updated document. Updates should be undertaken as soon as practicable after any of the following occurrences:

1. Adoption of a new airport master plan or an updated airport layout plan
2. Update of long-range airport noise exposure forecasts

4.1.3 Effective Date

This ALUCP shall become effective immediately upon a formal adoption action by the C/CAG Board, acting in its capacity as the Airport Land Use Commission for San Mateo County.

4.1.4 Applicability of Policies to Existing Land Uses

Existing land uses shall be exempt from the policies and criteria of this ALUCP, except as specifically provided in this Section.

4.1.4.1 *Modifications to Nonconforming Uses*

Modification of existing nonconforming land uses shall be permissible, provided that the modification does not increase the magnitude of the nonconformity when compared to Table 4B. The magnitude of nonconformity shall be measured by:

1. For residential land uses, the number of dwelling units on the lot;
2. For nonresidential land uses, the size of the nonconforming use in terms of lot area and building floor area.

Where bedrooms or sleeping rooms are added to residential uses that are nonconforming with the noise compatibility policies of this ALUCP, those rooms must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources. In all cases, building modifications shall be subject to the airspace protection policies of this ALUCP.

4.1.4.2 Reconstruction of Nonconforming Use

Nonconforming uses may be rebuilt to a density (for residential uses, dwelling units per acre) or size (for nonresidential uses, building floor area) not exceeding that of the original construction. In all cases, however, reconstructed nonconforming uses shall comply with the noise compatibility and airspace protection policies of this ALUCP.

4.1.4.3 Exceptions for Nonconforming Schools and Hospitals

Modifications, enlargement, and reconstruction of schools and hospitals that are nonconforming with the safety compatibility policies of this ALUCP outlined in **Table 4B** shall be allowed, subject to the following conditions:

1. Schools and Hospitals must demonstrate alternative sites outside the safety and noise compatibility zones are not financially feasible or will not adequately serve the established service area.
- 1.2. Building modifications, enlargements, new buildings, and reconstruction are allowed only on the lot or, if multiple lots comprise the building site, the contiguous lots on the site existing on the date of adoption of this ALUCP. If the school or hospital is within any noise compatibility zone, as established in this ALUCP, any added classrooms, patient rooms, and patient treatment and consultation rooms must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources.
- 2.3. Where a modification results in an increase in building floor area, the number of exits required for the enlarged portion of the building under applicable building and safety codes, shall be increased by 50 percent. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number.
- 3.4. For reconstructed schools and hospitals, the number of exits required under applicable building and safety codes shall be increased by 50 percent. Where the 50-percent factor results in a fraction, the number of additional exits shall be rounded to the next highest whole number. If the reconstructed school or hospital is within any noise compatibility zone, as established in this ALUCP, it must be sound-insulated to achieve an indoor noise level of CNEL 45 dB from exterior sources.
- 4.5. In all cases, the airspace protection policies of this ALUCP shall apply.

4.1.7 Properties Divided By Compatibility Zone Boundary

For the purpose of evaluating consistency with the compatibility criteria set forth in this ALUCP, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line. Only the portion of the parcel that lies within the compatibility zone boundary shall be subject to the airport/land use compatibility consistency evaluation.

4.1.8 Land Use Compatibility Planning Coordination

An important purpose and function of the ALUCP is to coordinate airport land use compatibility planning across jurisdictions. To further that purpose, the following policies shall apply:

4.1.8.1 *Notification and Review of Proposed Land Use Policies*

Any proposed land use policy action that affects property within the AIA must be referred to the Airport Land Use Commission (the C/CAG Board) for a determination of consistency with the relevant policies of this ALUCP. Local jurisdictions shall notify the Airport Land Use Commission of every such proposed land use policy action as required by State law. The Airport Land Use Commission shall notify the HAF Airport Manager, or the Airport Manager's designee, as soon as possible after it receives a request for a consistency review of a proposed land use policy action. The intent is to afford the appropriate Airport staff an opportunity to review and comment on the proposed land use policy action.

4.1.8.2 *Notification to Airport of Proposed Land Use Policy Actions*

C/CAG shall encourage local governments to inform the Airport of proposed land use planning projects policy actions within the AIA in a manner and at a time that enables ALUC and Airport staff to review and provide timely comments on the proposed land use policy actions.

4.1.8.3 *Advisory Review of Development Proposals*

Under state law, local governments may submit development proposals to the Airport Land Use Commission for non-binding advisory review. C/CAG shall encourage local governments to submit the following types of development proposals within the AIA to the Airport Land Use Commission for advisory review:

- Commercial or mixed use development of more than 100,000 square feet of gross building area;

The ALUC shall review and discuss the application, granting a representative of the special district and members of the public an opportunity to offer comments and testimony. The ALUC shall make a recommendation to the Airport Land Use Commission (C/CAG Board) for approval or disapproval of the application for exemption.

4.1.11.3 Airport Land Use Commission (C/CAG Board) Action on Exemption Application

The C/CAG staff shall forward the application and the ALUC's recommendation to the Airport Land Use Commission (C/CAG Board) and schedule consideration of the application for the next available Board meeting. The Airport Land Use Commission shall review and discuss the application and the ALUC recommendation, granting a representative of the special district and members of the public an opportunity to offer comments and testimony. The Airport Land Use Commission shall make a decision on the application for exemption. Approval of the application shall be in the form of a resolution. A resolution of approval shall include findings documenting that the responsibilities and duties of the special district and all facilities operated, maintained, or planned by the special district would involve no potential conflicts with any land use compatibility policies of the ALUCP.

4.1.11.4 Documentation of Airport Land Use Commission (C/CAG Board) Approval of Exemption

All Airport Land Use Commission (C/CAG Board) resolutions approving the exemption of special districts from the ALUCP consistency review process shall be kept as part of the ALUCP document distributed and posted electronically or in hard copy.

4.1.12 Airport Land Use Commission (C/CAG Board) Consistency Determination Process

In accordance with PUC Sections 21676(a) and 21676.5(a), the Airport Land Use Commission (C/CAG Board) may make the following findings when reviewing proposed development, land use policy actions and airport and heliport plans:

- a) Consistent with the ALUCP
- b) Inconsistent with the ALUCP
- c) Consistent with ALUCP subject to conditions

~~In its review of proposed development, land use policy actions, and airport and heliport plans, described in Policy 4.1.10, for a determination of consistency or inconsistency with the ALUCP, the Airport Land Use Commission (C/CAG Board) shall follow the process described herein.~~

4.1.12.1 Two-Step Process

The airport/land use compatibility review process includes two steps. A diagram of the process is shown on **Exhibit 4A**. The review process is initiated by a local agency, as specified in the airport land use commission statutes. The first step is review by the C/CAG Airport Land Use Committee (ALUC); the second step is review and final action by the Airport Land Use Commission (C/CAG Board). The process is described below.

Step 1: Review by the Airport Land Use Committee (ALUC)

- A. The affected agency refers the proposed development or land use policy action, including all relevant documentation, to C/CAG staff. C/CAG staff reviews the submitted materials, coordinates the review with the affected local agency staff, and schedules the item for the next available ALUC meeting. C/CAG staff also prepares a report for ALUC and public review. The staff report describes the proposed action and includes an analysis of the relevant airport land use compatibility issues related to the proposed action and a recommended ALUC action.
- B. The ALUC reviews the proposed development or land use policy action, considers relevant public input, and takes action by adopting a motion to advise the Airport Land Use Commission (the C/CAG Board) whether the proposed action is consistent or inconsistent with the ALUCP. The ALUC review includes a presentation of the staff report by C/CAG staff and opportunities for comments from representatives of the affected local agency, other agencies, and the public.
- C. The ALUC recommendation is transmitted to the Airport Land Use Commission (the C/CAG Board) via a report prepared by C/CAG staff.

Step 2: Review/Final Action by the Airport Land Use Commission (C/CAG Board)

Consistent with applicable C/CAG Board public notification and voting bylaws:

- A. The proposed development or land use policy action is scheduled for consideration at the next available Airport Land Use Commission (C/CAG Board meeting). C/CAG staff prepares a report for review by the Airport Land Use Commission that describes the proposed action and includes a copy of the ALUC staff report and the ALUC recommendation.
- B. The Airport Land Use Commission (C/CAG Board) reviews the ALUC recommendation and adopts a motion declaring whether the proposed development or land use policy action is consistent or inconsistent with the relevant provisions in the ALUCP. The Airport Land Use Commission's review includes opportunities for comments from the affected local agency, other agencies, and the public.
- C. The Airport Land Use Commission (C/CAG Board) formally notifies the affected local agency, in writing, of its final action on the proposal.

150/5300-13A. The accident risk level is considered to be very high within the RPZ zones encompassing approximately 20 to 21 percent of the accidents at general aviation airports similar to HAF (See **Appendix B**, for more information on accident locations).

Zone 2- Inner Approach/Departure Zone (IADZ). This zone encompasses area that is overflown at low altitudes, typically only 200 to 400 feet above runway elevation. The IADZ zone extends 4,000 feet from the end of the runway and is 1,500 feet wide. The accident risk level is considered to be high within the IADZ zones encompassing approximately ten percent of general aviation aircraft accidents.

Zone 3- Inner Turning Zone (ITZ). Encompasses locations where aircraft are typically turning from the base to final approach legs of the standard traffic pattern and are descending from traffic pattern altitude. The ITZ also includes the area where departing aircraft normally complete the transition from takeoff power and flap settings to a climb mode and have begun to turn to their en route heading. The accident risk level is considered to be moderate to high within the ITZ zones encompassing approximately seven percent of general aviation aircraft accidents. HAF has an established traffic pattern on northeast side of the airport. The traffic pattern location, as published in the FAA's Airport/Facility Directory (A F/D) is left-hand for Runway 12 and right-hand for Runway 30, which results in traffic pattern activity only on the northeast (landward) side of the airport. The primary reason for the one-sided traffic pattern is avoidance of conflicts with Pillar Point Air Force Station radar surveillance area located to the south of the airport. ~~Therefore~~ Additionally, in accordance with the National Oceanic and Atmospheric Administration's Fly Seabird Safe program, National Marine Sanctuary areas should not be overflown at less than 2,000 above ground level. The ocean area located west of the airport is located within the Monterey Bay National Marine Sanctuary. Accordingly, ITZ zones have only been established on the northeast side of the airport.

Zone 4- Outer Approach/Departure Zone (OADZ). The OADZ is situated along the extended runway centerline beyond the IADZ zone measuring 1,000 feet wide and 3,000 feet long. Approaching aircraft are usually at less than traffic pattern altitude in the OADZ zone. The accident risk level is considered to be moderate within the OADZ zones encompassing approximately five percent of general aviation aircraft accidents.

Zone 5- Sideline Safety Zone (SSZ). The SSZ encompasses the close-in area lateral to runways. The primary risk in SSZ is with aircraft losing directional control on takeoff. The accident risk level is considered low to moderate within the SSZ zone encompassing approximately five percent of general aviation aircraft accidents.

Zone 6- Airport Property Zone (APZ). The APZ is defined by the current airport property from the *2013 Half Moon Bay Airport Layout Plan Narrative Report*. There are two subzones within the APZ: (1) Airport Building Areas

include terminal areas, fixed base operator buildings, hangars, tie-down areas, automobile parking areas, and areas planned for aviation uses; (2) Aircraft Activity Areas include runways, taxiways, and associated safety areas and setbacks per FAA regulations.

Zone 7- Airport Influence Area (AIA). The AIA zone includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 conical surface from the 2013 HAF airport layout plan. The aircraft accident risk level is considered to be low within the AIA zone.

4.2.2.2 *Safety Zone Criteria*

The safety zone land use compatibility standards in **Table 4B** restrict the development of land uses that could pose particular hazards to the public or to vulnerable populations in case of an aircraft accident. **Table 4B** also provides a breakdown of the intensity criteria for HAF compatibility zones and **Appendix D** provides the methodology for calculating land use intensity, including the Princeton Area Safety Compatibility Density and Intensity Calculation Methodology.

4.2.2.3 *Infill Development*

Where development not in conformance with the criteria set forth in this ALUCP already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone.

This exception does not apply within RPZ zones.

(a) A parcel can be considered for infill development if it meets all of the following criteria, plus the applicable provisions of either Sub-policy (b) or (c) below:

- (1) The parcel size is no larger than 10.0 acres.
- (2) At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed. For projects adjacent to an undeveloped parcel, the closest developed lot may be used.
- (3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.
- (4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (e.g., through use permits, density transfers, addition of second units on the same parcel, height variances, or other strategy) are prohibited.
- (5) The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this ALUCP unless replacement open land is provided within the same compatibility zone.

(b) For residential development, the average development density (dwelling units per gross acre) of the project site shall not exceed the average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided.

(c) For nonresidential development, the average usage intensity (the number of people per gross acre) of the site's proposed use shall not exceed the lesser of:

- (1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or
- (2) Double the intensity permitted in accordance with the criteria for that location as indicated in the Compatibility Criteria matrix, **Table 4B**.

TABLE 4B
Safety Criteria Matrix
Half Moon Bay Airport

Zone	Maximum Densities/Intensities/Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non- residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
RPZ	None	None	All unused	<ul style="list-style-type: none"> • All structures except ones with location set by aeronautical function • Assemblages of people • Objects exceeding FAR Part 77 height limits • Natural gas & petroleum pipelines¹⁰ • Dumps or landfills, other than those consisting entirely of earth & rock. • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required
IADZ	1 d.u. per 10 acres	60 persons per acre	30%	<ul style="list-style-type: none"> • Residential, except for very low residential and infill in developed areas¹¹ • Hazardous uses (e.g., aboveground bulk fuel storage) • Natural gas & petroleum pipelines¹⁰ • Office buildings greater than 3 stories • Labor-intensive industrial uses • Children's schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Schools • Recreational uses, athletic fields, playgrounds, & riding stables • Theaters, auditoriums, & stadiums • Dumps or landfills, other than those consisting entirely of earth & rock. • Waterways that create a bird hazard • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required • Locate structures maximum distance from extended runway centerline • Airspace review required for objects > 35 feet tall⁸
ITZ	1 d.u. per 2 acres	100 persons per acre	20%	<ul style="list-style-type: none"> • Residential, except for low residential and infill in developed areas¹¹ • Hazardous uses (e.g., aboveground 	<ul style="list-style-type: none"> • Same as IADZ zone

				bulk fuel storage) <ul style="list-style-type: none"> • Natural gas & petroleum pipelines¹⁰ • Buildings with more than 3 aboveground habitable floors • Children's schools, day care centers, libraries • Hospitals, nursing homes • Places of worship • Schools • Recreational uses, athletic fields, playgrounds, & riding stables • Theaters, auditoriums, & stadiums • Dumps or landfills, other than those consisting entirely of earth & rock. • Waterways that create a bird hazard • Hazards to flight⁶ 	
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TABLE 4B (Continued)
Safety Criteria Matrix
Half Moon Bay Airport

Zone	Maximum Densities/Intensities/Required Open Land			Additional Criteria	
	Dwelling Units per Acre ¹	Maximum Non-residential Intensity ²	Required Open Land ³	Prohibited Uses ⁴	Other Development Conditions ⁵
OADZ	1 d.u. per 2 acres	150 persons per acre	20%	<ul style="list-style-type: none"> • Children's schools, day care centers, libraries • Hospitals, nursing homes • Bldgs. with >3 aboveground habitable floors • Highly noise-sensitive outdoor nonresidential uses⁷ • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required • Airspace review required for objects >70 feet tall⁹
SSZ	1 d.u. per 2 acres	100 persons per acre	30%	Same as IADZ zone	Same as IADZ zone
APZ	None	No Limit	No Requirement	<ul style="list-style-type: none"> • Hazards to flight⁶ 	<ul style="list-style-type: none"> • Airport disclosure notice required • Airspace review required for objects >70 feet tall⁹
AIA	No Limit	300 persons per acre	10%	<ul style="list-style-type: none"> • Hazards to flight⁶ • Outdoor stadiums and similar uses with very high intensity uses 	<ul style="list-style-type: none"> • Airport disclosure notice required • Airspace review required for objects >100 feet tall⁹ • New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 surfaces⁹ • New structures require additional airspace analysis required within the 50-foot terrain penetration buffer⁹

Notes:

- 1 Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre (d.u./ac). Clustering of units is encouraged. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands associated with the property.
- 2 Usage intensity calculations shall include all the maximum number of people (e.g., employees, customers/visitors, etc.) who may be on the parcels or site at a single point in time, whether indoors or outside. Multiplier bonus for Special Risk-Reduction Bldg. Design is 1.5 for IADZ Zone and 2.0 for ITZ, OADZ, SSZ, and AIA Zones. (Appropriate risk reduction measures are specified in the California Code of Regulations, Title 24, Part 2.)

- 3 Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects.
- 4 The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria. Also see Sections 4.1.6 and 4.2.2.5 for policies on similar uses and special conditions.
- 5 As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law.
- 6 Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops as outlined in FAA's Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants on or Near Airports* that may cause the attraction of birds to increase is also prohibited.
- 7 Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheatres and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
- 8 Objects up to 35 feet in height are permitted. However, the FAA may require Form 7460-1, marking, and lighting of certain objects.
- 9 This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport (See examples 1, 2 & 3 on Exhibit 4C). Taller objects may be acceptable if determined not to be obstructions. Developers proposing structures that could penetrate 14 CFR Part 77 elevations must file Form 7460 with the FAA.
- 10 Natural gas & petroleum pipelines less than 36 inches below the surface.
- 11 The definition of infill can be found in Section 4.2.2.3.

RPZ - Runway Protection Zone	OADZ Outer Approach/Departure Zone	IADZ - Inner Approach/Departure Zone
APZ - Airport Property	ITZ - Inner Turning Zone	SSZ - Sideline Safety Zone
		AIA - Airport Influence Area

(d) Infill development on some parcels should not enable additional parcels to then meet the qualifications for infill. The Airport Land Use Commission's intent is that parcels eligible for infill be determined just once. Thus, in order for the Commission to consider proposed development under these infill criteria, the entity having land use authority (San Mateo County or affected cities) must first identify the qualifying locations in its general plan or other adopted planning document approved by the Commission. This action may take place in conjunction with the process of amending a general plan for consistency with the ALUCP or may be submitted by the local agency for consideration by the ALUC at the time of initial adoption of this ALUCP. In either case, the burden for demonstrating that a proposed development qualifies as infill rests with the affected land use jurisdiction and/or project proponent.

4.2.2.4 Hazardous Uses

Hazardous uses, facilities involving the manufacture, processing, or storage of hazardous materials, can pose serious risks to the public in case of aircraft accidents. Hazardous materials of particular concern in this ALUCP, and which are covered by the safety compatibility criteria in **Table 4B**, are the following:

- A. Aboveground fuel storage** — This includes aboveground storage tanks with capacities greater than 10,000 gallons of any substance containing at least five percent petroleum per State of California, California Health and Safety Code, Section 25270. Project sponsors must provide evidence of compliance with all applicable regulations prior to the issuance of development permits.
- B. Facilities where toxic substances are manufactured, processed or stored** — Proposed land use projects involving the manufacture or storage of toxic substances may be allowed if the amounts of the substances do not exceed the threshold planning quantities for hazardous and extremely hazardous substances specified by the EPA in Title 40, Code of Federal Regulations Part 355, Subpart D, Appendices A & B.

(c) FAA review is required for any proposed structure more than 200 feet above the surface level of its site. All such proposals also shall be submitted to the Airport Land Use Commission for review regardless of where in the county they would be located.

(d) Any project submitted to the Airport Land Use Commission for airport land use compatibility review for reason of height-limit issues shall include a copy of the CFR Part 77 notification to the Federal Aviation Administration and the FAA findings if available.

4.2.3.4 *Other Flight Hazards*

Proposed land uses with characteristics that may cause visual, electronic, or wildlife hazards, particularly bird strike hazards, to aircraft taking off or landing at HAF or in flight are incompatible in the Airport Influence Area. They may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action. A hazards to flight checklist can be found in **Appendix D**.

Specific characteristics that may create hazards to aircraft in flight and which are incompatible include:

- (a) Sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport.
- (b) Distracting lights that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting.
- (c) Sources of dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport.
- (d) Sources of electrical interference with aircraft or air traffic control communications or navigation equipment, including radar.
- (e) Land uses that, as a regular byproduct of their operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in flight. Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.
- (f) Any use that creates an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, *Waste Disposal Sites On or Near Airports*, FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports*, and any successor or replacement orders or advisory circulars. Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the *National Environmental Policy Act*.

Flight Hazards Checklist

This checklist should be used to determine if proposed land uses cause visual or electronic interference, or attract wildlife (particularly bird strike hazards) to the Half Moon Bay Airport Influence Area. These land uses may be permitted only if the uses are consistent with FAA rules and regulations. Proof of consistency with FAA rules and regulations and with any performance standards cited below must be provided to the Airport Land Use Commission (C/CAG Board) by the sponsor of the proposed land use action per Policy 4.2.3.4, *Other Flight Hazards*, in the Airport Land Use Compatibility Plan for the Environs of Half Moon Bay Airport.

Specific characteristics that may create hazards to aircraft in flight and which may be incompatible include:

Potential Hazards To Flight	Yes	No	Comments
Does the proposal create sources of glare, such as highly reflective buildings or building features, or bright lights, including search lights or laser displays, which would interfere with the vision of pilots making approaches to the Airport?			
Does the proposal cause distracting lights that could be mistaken by pilots on approach to the Airport for airport identification lighting, runway edge lighting, runway end identification lighting, or runway approach lighting?			
Does the proposal generate dust, smoke, or water vapor that may impair the vision of pilots making approaches to the Airport?			
Does the proposal cause electrical interference with aircraft or air traffic control communications or navigation equipment, including radar?			
As a regular byproduct of proposal's operations, produce thermal plumes with the potential to rise high enough and at sufficient velocities to interfere with the control of aircraft in flight? (Upward velocities of 4.3 meters (14.1 feet) per second at altitudes above 200 feet above the ground shall be considered as potentially interfering with the control of aircraft in flight.)			
Will the proposal create an increased attraction for wildlife, particularly large flocks of birds, that is inconsistent with FAA rules and regulations, including, but not limited to, FAA Order 5200.5A, <i>Waste Disposal Sites On or Near Airports</i> , FAA Advisory Circular 150/5200-33B, <i>Hazardous Wildlife Attractants On or Near Airports</i> , and any successor or replacement orders or advisory circulars? (Exceptions to this policy are acceptable for wetlands or other environmental mitigation projects required by ordinance, statute, court order, or Record of Decision issued by a federal agency under the <i>National Environmental Policy Act</i> .)			

Princeton Area Safety Compatibility Density and Intensity Calculation Methodology

Within Runway Safety Zone 2:

- A The level of density and intensity of use within Runway Safety Zone 2 (Inner Approach/Departure Zone – IADZ) in the Princeton area (excluding the runway centerline area as described in section B below) can be calculated safety zone wide, with the following limitations:
- The calculation cannot include the portions of Safety Zone 2 that cover the water surface area in Half Moon Bay nor Half Moon Bay Airport property.
 - Existing development must be included in the calculations.
- B. To prevent clustering along the runway centerline, residential density and non-residential intensity in the Runway Centerline Area on Exhibit D1 must be calculated on a parcel basis or Runway Centerline Area-wide basis.
- C. The safety zone wide maximum levels of density and intensity of use in Runway Safety Zone 2 (IADZ) shall not exceed the maximum safety criteria levels shown in Table 4B Safety Criteria Matrix.
- D. The density and intensity calculation approach shown in paragraph A above does not apply to Runway Safety Zone 2 (IADZ) that affects the Moss Beach and Montara communities.
-

Within Runway Safety Zone 3:

- A. The level of density and intensity of use within Runway Safety Zone 3 (Inner Turning Zone – ITZ) in the Princeton area can be calculated safety zone wide, with the following limitations:
- The calculation cannot include the portions of Safety Zone 3 that cover the water surface area in Half Moon Bay nor Half Moon Bay Airport property.
 - Existing development must be included in the calculations.
- B. The safety zone wide maximum levels of density and intensity of use in Runway Safety Zone 3 (ITZ) shall not exceed the maximum safety criteria levels shown in Table 4B Safety Criteria Matrix.
- C. The density and intensity calculation approach shown in paragraph A above does not apply to Runway Safety Zone 3 (ITZ) that affects the Moss Beach and Montara communities.

C/CAG AGENDA REPORT

Date: October 9, 2014

To: C/CAG Board of Directors

ITEM 6.4

From: Sandy Wong, Executive Director

Subject: Update of the San Mateo County US 101 Ramp Metering Implementation between State Route (SR) 92 and the San Francisco/San Mateo County Line.

(For further information or response to questions, contact Jean Higaki at 650-599-1462)

RECOMMENDATION

Update of the San Mateo County US 101 Ramp Metering Implementation between State Route (SR) 92 and the San Francisco/San Mateo County Line

FISCAL IMPACT

C/CAG contribution is \$55,000 from Congestion Relief Plan funds.

SOURCE OF FUNDS

Funding for the Ramp Metering program is from the C/CAG Congestion Relief Plan. The C/CAG Board approved contributing up to \$55,000 towards this effort on May 8, 2014. MTC is contributing \$104,500 for a total cost of \$159,500.

BACKGROUND

C/CAG has been involved in a long term effort to implement ramp metering along major corridors in San Mateo County. Ramp meters on the US 101 south of Route 92 have been turned on in 2007. The final segment on US 101 that is ready for metering in San Mateo County is north of Route 92 to the San Francisco County Line. Equipment along this segment was installed by Caltrans in the spring of 2014.

Separate ramp-metering analysis and activation periods will be performed for northbound (NB) and southbound (SB) meters. The southbound ramp meters will be scheduled for activation after the NB meters in the spring of 2015.

Proposed ramp metered locations are:

NB US-101 CORRIDOR ON-RAMPS	SB US-101 CORRIDOR ON-RAMPS
1. SR 92 WB	19. SR 92 EB Diagonal
2. Fashion Island Boulevard	20. Fashion Island Drive
3. Kehoe Avenue	21. 4th Avenue EB Diagonal
4. 3rd Avenue/4th Avenue	22. 3rd Avenue WB Loop
5. Peninsula Avenue/Airport Boulevard	23. Popular Avenue

6. Anza Boulevard	24. Broadway/Rollins Road
7. Broadway/Old Bayshore Hwy	25. Millbrae Avenue EB
8. Millbrae Avenue Collector Ramp	26. Millbrae Avenue WB
9. SFO Domestic	27. SFO Domestic Terminal
10. San Bruno/SFO International	28. SFO International Terminal
11. SR 380 EB	29. San Bruno Diagonal
12. SR 380 WB/North Access Road	30. I-380 EB
13. SR 380 WB/Airport Boulevard	31. I-380 WB/North Access Road
14. South Airport Boulevard	32. Produce Avenue/Airport Boulevard
15. Grand Avenue/Airport Boulevard	33. Oyster Point Boulevard
16. Oyster Point Boulevard	34. Airport Boulevard/Bayshore Road
17. Sierra Point Parkway	35. Lagoon Road
18. Harney Way	36. Beatty Avenue

At this time, the existing conditions model has been calibrated and draft metering rates are developed for the NB part the corridor. The final NB Metering Plan will be approved by the Ramp Metering Technical Committee (RMTC). The RMTC is composed of city staff designated by impacted local jurisdictions.

The NB draft metering rate was distributed to the RMTC for review and a meeting was held on Sept 29, 2014 to discuss the NB draft metering rate plan. Another RMTC meeting is planned for mid-October, to finalize the NB metering rate plans, and to review metering implementation procedures. The current proposal is for Caltrans to turn on NB meters, in November 2014.

The draft project schedule for turn on of NB meters is as follows:

(Note target dates are subject to change)

- Review of NB draft metering rate plans – late November early December
- Final NB metering rate plans – Fall of 2014
- RMTC Meeting for implementation procedures – Fall of 2014
- Turn on of NB meters – Late fall 2014
- RMTC Meeting for post activation observations - on local streets and review of draft southbound metering rate plans – Early 2015
- Ramp Metering Final NB and SB After Study Report – Summer of 2015

ATTACHMENTS

None

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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• Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

ITEM 9.1

September 30, 2014

Honorable Kevin Mullin
California State Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0022

RE: Assembly Bill 2170 – Joint Powers Authorities

Assembly Member Mullin:

On behalf of the City/County Association of Governments of San Mateo County (C/CAG), I want to thank you for your ongoing support during the past legislative session in regard to both AB 418 and AB 2170, the latter of which was signed into law by Governor Brown. AB 2170 addressed the underlying issue C/CAG faced regarding a potential countywide stormwater funding initiative. As you know, securing adequate ongoing funding for stormwater pollution prevention programs is a challenge facing agencies in San Mateo County, as well as throughout the state. You and your staff were extremely helpful and supportive throughout the process of getting this legislation approved and C/CAG appreciates all that you and Senator Hill have done to assist on this particular issue. C/CAG looks forward to continued engagement with you, your staff, and the rest of our legislative delegation on the important issues facing San Mateo County.

Sincerely,

Original signed by

Mary Ann Nihart
Chair

cc: Camille Wagner, Chief Deputy Legislative Affairs Secretary
Office of Governor Edmund G. Brown Jr.
State Capitol, First Floor
Sacramento 95814

C/CAG

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ITEM 9.2

September 25, 2014

Lauri, James & Scott Vreeland
924 Poli Street
Ventura, CA 93001

Dear James Vreeland Family,

On behalf of the City/ County Association of Governments (C/CAG) Board of Directors and staff, I would like to offer you our condolences on the passing of James (Jim) Vreeland.

Jim was a significant contributor and leader to the City/County Association of Governments (C/CAG) of San Mateo County. He has served on the C/CAG Board of Directors, representing the City of Pacifica, as Member, Alternate Member, and Vice Chair between 2001 and 2005. In addition, Jim served as Chair to the C/CAG Board of Directors from April 2005 to March 2007.

Jim has dedicated his services to the people of San Mateo County. Jim meant a lot to his family, friends, and the community and certainly will be missed. What Jim stood for, and his contributions, will long be remembered.

The October 9, 2014 C/CAG Board meeting will be adjourned in honor of James Vreeland.

Sincerely,

Original signed by

Mary Ann Nihart
C/CAG Chair

C/CAG

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September 22, 2014

ITEM 9.3

VIA E-MAIL

Ms. Marlene Subhashini, Senior Planner
City of Foster City
610 Foster City Boulevard
Foster City, CA 94404

**RE: Notice of Preparation of a Draft Environmental Impact Report for the Lincoln Centre
Biomedical Research Project**

Dear Ms. Subhashini:

Thank you for offering C/CAG the opportunity to review the Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Lincoln Centre Biomedical Research Project. The following comments are provided for your consideration in complying with the San Mateo County Congestion Management Program (CMP). In preparing an EIR for this project, please refer to Appendix I and L of the 2013 CMP, which describe C/CAG's guidelines for analyzing the transportation impacts of land use plans and projects on the CMP roadway network:
http://www.ccag.ca.gov/pdf/Studies/2013/2013%20CMP%20Appendices_Final%20Nov13.pdf.

Please discuss the expected impacts of the project on the CMP roadway network as outlined in C/CAG's Traffic Impact Analysis (TIA) policy. The scope of the TIA should not only include the immediate project area, but also other areas that may be impacted by the project. Please consult with C/CAG staff for any clarification on the scope and parameters of the analysis. The TIA policy provides a detailed definition of project impacts on CMP intersections, freeway segments, and arterial segments.

If the project will generate 100 or more peak-hour trips on the CMP roadway network above those generated by existing uses, C/CAG guidelines require that mitigation measures be implemented to reduce the congestion impacts of the project. Potential mitigation strategies are documented in C/CAG's Guidelines for Implementing the Land Use Component of the CMP and include, but are not limited to, reducing project scope, contributing to roadway and/or transit improvements, collecting traffic mitigation fees, and requiring project sponsors to implement transportation demand management (TDM) programs.

We request the opportunity to review the Draft EIR and project TDM plan (if applicable) upon their completion. If you have any questions, please contact me at wabrazaldo@smcgov.org or 650-599-1455.

Sincerely,



Wally Abrazaldo, Transportation Programs Specialist

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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ITEM 9.4

September 12, 2014

Mr. Matthew Rodriquez
Secretary, California Environmental Protection Agency
1001 I Street
P.O. Box 2815
Sacramento, CA 95812-2815

Ms. Mary Nicols
Chairman, California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

Re: CalEPA Identification of Disadvantaged Communities

Dear Secretary Rodriquez and Chairman Nicols,

The City/County Association of Governments of San Mateo County (C/CAG) respectfully offers the following comments on the identification of disadvantaged communities (DACs) proposed by the California Environmental Protection Agency (CalEPA) pursuant to Health & Safety (H&S) Code 39711 for state agencies administering Greenhouse Gas Reduction Fund monies pursuant to H&S Code 39715.

While C/CAG strongly supports the goal of investing a minimum share of funds in and for the benefit of disadvantaged communities, we have concerns about using the CalEnviroScreen's 20% cutoff (Method 1) as the way to identify such communities. Under this approach, too many low-income and environmentally burdened communities in the Bay Area would be moved to the back of the funding line.

Current law clearly allows CalEPA to use population based metrics *or* environmental metrics when establishing its definition of disadvantaged communities. CalEPA's proposed Method 1 requires that in order for a census tract to be identified as a DAC, it must score relatively high on virtually all 19 criteria. Under this approach, many communities that are severely disadvantaged in terms of a few key health factors, such as income, air quality, asthma rates and low birth weight nonetheless fall outside

of the top 20% threshold. Consider the following counterintuitive results of Method 1:

- Of the top 10 *most impoverished* census tracts in the Bay Area — where poverty rates exceed 70 percent— not a single one is included in CalEPA’s definition.
- Of the 46 census tracts that *are* identified by Method 1, 20 are census tracts where the poverty rate is actually less than 50 percent.

We respectfully urge you to consider the alternative put forward by the Bay Area Air Quality Management District as “Method 6,” as well as their recommendation to remove the pesticide variable as it is unfair that Bay Area residents exposed to pesticide are ignored simply because the exposure isn’t in an agricultural context. In addition, we agree that whatever tool is adopted ought to account for cost of living differences and that the use of “rent burden” is an appropriate way to make this adjustment given that the cost of living differences are largely due to the cost of housing. Lastly, we urge you to set the threshold for determining disadvantage at the top 30% rather than 20% or 25% so as to minimize overlooking disadvantaged communities whose scores might be on the cusp of the stricter thresholds.

We are aware of the extensive time and energy that OEHHA and CalEPA staff has spent creating and improving upon CalEnviroScreen over the last two years. Rather than asking that the CES be jettisoned altogether, Method 6 builds on that work.

In the Bay Area, Method 6 includes 221 census tracts, home to approximately 938,000 Bay Area residents.

- 90% are transit priority areas where the region is trying to focus growth.
- 71% have 30% or higher concentration of households living in poverty.
- 62% are considered “rent-burdened,” where at least 15% of households are spending 50% or more of their income on rent
- Over 2/3 are MTC Communities of Concern

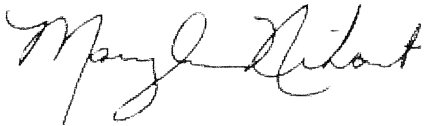
In San Mateo County, Method 6 identifies disadvantaged communities adjacent to MTC identified Communities of Concern meaning that potential projects could serve those concentrated low income communities. In addition, these identified areas are in or are near to major transit corridors and bicycle/ pedestrian infrastructure that facilitate and encourage alternative transportation modes which contribute to the program goal of reducing greenhouse gases.

We respectfully encourage you to take more time to identify disadvantaged communities and the method for determining project benefit and the link to program goals so that you can carefully consider public comments before making a final decision. Given the millions of dollars in high-

profile public funds at stake and the scores of worthy projects that will be vying for funding, it is imperative that state agencies take the time to develop the program guidelines in a transparent manner that allows for meaningful public and stakeholder input.

ARB's scheduled adoption of its interim guidance on September 18 — just two full days after the close of public comment— leaves little opportunity for ARB staff to consider these comments before finalizing their proposal. CalEPA has indicated a similarly rushed schedule with plans to finalize identification of DACs by the end of September. It is not clear to us why these decisions need to be made so quickly. For instance, the proposed schedule released by the Strategic Growth Council indicates that applications for funding will not even be *due* until April 2015, with funds expected to be awarded in June — *nine* months from now. As for the two public transit programs, no time frame has even been released for the program guidelines, suggesting a Notice of Funding Availability is very unlikely before early 2015.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Ann Nihart".

Mary Ann Nihart, Chair
City/County Association of Governments of San Mateo County